

Scott Andrade
12 Grant Road
Salem, MA 01970
1(978)594-4352

Testimony March 22, 2019

Year after year parents civil rights erode as it pertains to their child's education.

The current leadership of the DESE is actively working against the interests of parents and teachers in this Commonwealth.

DESE has already changed regulations in order to implement this "Emergency Law" you are considering. But the public is unaware of these changes.

603 CMR 2.03 (2) (d) 1,2

603 CMR 2.03 (3) (a) 1 b ii

603 CMR 2.03 (3) (b) 1 b iv

603 CMR 2.03 (6) (a) 3

These proposals show up every couple of years and gauge how many parents are paying attention. The governor is trying to pass a law that LIMITS the power of school

committees, superintendents, teachers, and most importantly-parents. This law INCREASES the power of 1 individual-the commissioner.

S.2442 S.279

This “Emergency Law” allows 1 individual the power to place schools into receivership. It allows 1 individual to implement turn-around plans to get around the charter school cap. This law also undermines teacher unions.

H.70 lines 64-69

This law allows 1 individual the ability to withhold money in a special bank account that gives that SAME INDIVIDUAL full autonomy to spend.

H.70 lines 64-73

Where is the voice of the people? Where is the voice of parents and teachers? We are outnumbered 8-3 on the Board of Education.

In 2017, voters overwhelmingly affirmed that DESE was moving in the wrong direction. The people voted AGAINST question 2. We voted against the expansion of charter schools. We requested the removal of high-stakes testing.

This Emergency Law will override any future debate about education. This Emergency Law gives 1 person unlimited power and provides NO OVERSIGHT.

Under current Massachusetts law, a school superintendent can appoint a receiver to advise or control any school in their district. The superintendent currently uses multiple factors in making these decisions.

With passage of this “Emergency Law”, a superintendent or commissioner would need ONLY 1 reason for a school takeover.

H.70 lines 53-57

For example, if a mere 5.1% of students in a school refuse to take the PARCC/MCAS test, that school would qualify for a state takeover. In a school of 400 students, if 21 of those students refuse the test, that school would qualify for a state takeover.

DESE document “glossary of 2018 accountability reporting terms” updated November 29, 2018.

With this law comes 1.1 billion dollars worth of outside influence managing our schools.

H.70 cover letter

Under this law, the commissioner would be free to force a school to adopt a program it didn't want. Or to mandate examiners who will push and enforce programs teachers do not want or need to participate in.

H70 lines 53-57

We need to restore local control over public education. The current leadership of the DESE is actively working against the interests of parents and teachers in this Commonwealth.

STATEWIDE SYSTEM OF SUPPORT & RETRIBUTION

In The One Hundred and Ninety-First Congress

H.70 and Others

“ Therefore, my bill strengthens the **AUTHORITY** of the Commissioner of Elementary and Secondary Education to intervene in persistently underperforming schools, including the ability to **REQUIRE** certain improvement steps and to temporarily retain a portion of Chapter 70 funding in a new School Turnaround Trust Fund, pending the district's implementation of HIS school improvement recommendations.”

Governor Charles D. Baker
January 23, 2019
Letter accompanying H.70

EMERGENCY LAW: FILED 01/23/2019

assembled
by
Scott Andrade
12 Grant Road
Salem, MA 01970
1(978)594-4352

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aka “The Quiet Revolution”

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The Office of District School Turnaround (ODST) or The Districtand School
Assistance Center (DSAC) or Statewide System of Support (SSoS)

26-49 All that pesky Common Core Standard stuff of the past

50-52.....H.70

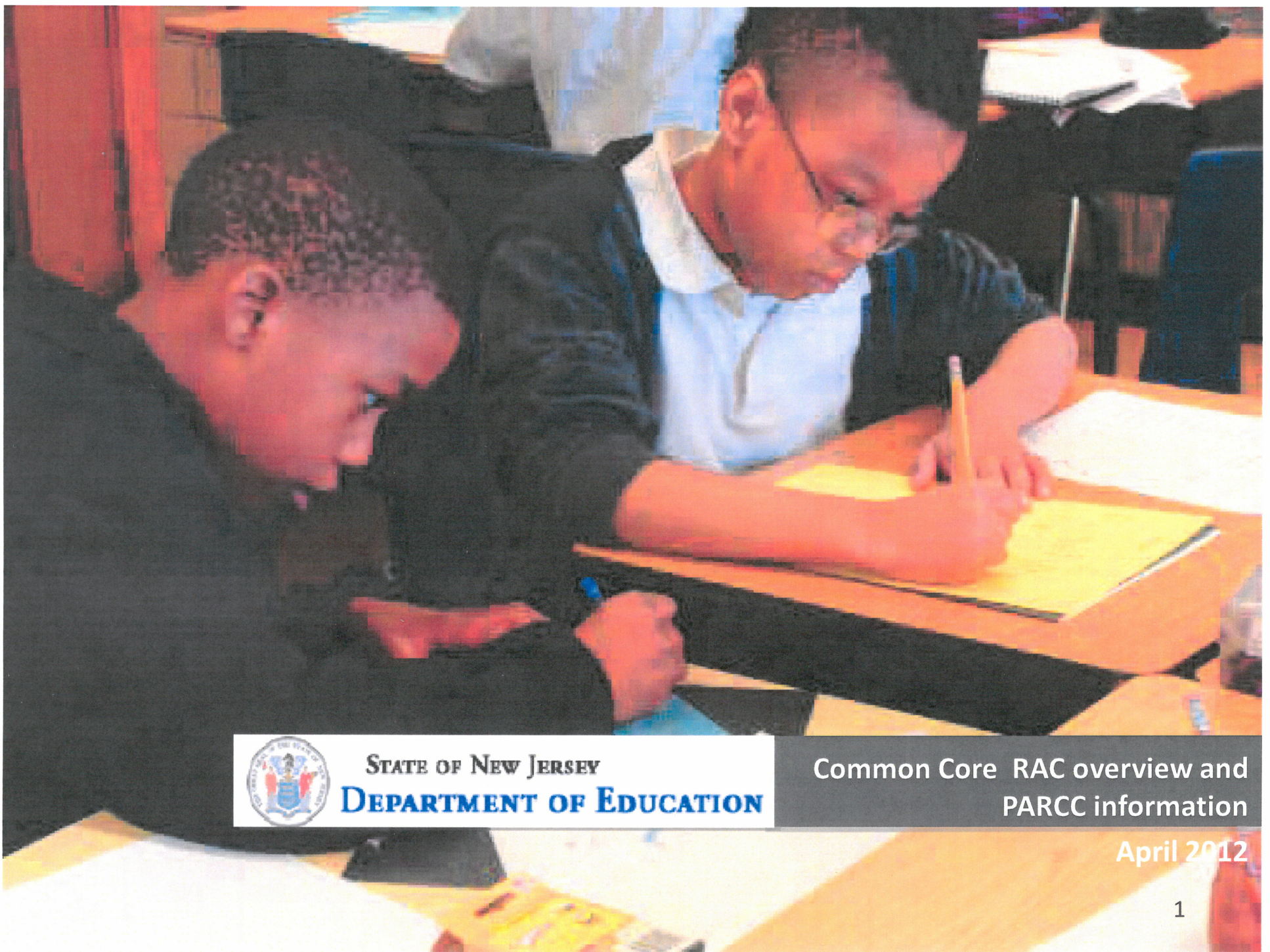
**Ignore the Funding Part of this Bill.
Concentrate on the Power it Bestows Upon the
Department of Elementary and Secondary
Education's Commissioner/Emperor.**

Proposed “ full text ” of Chapter 69 Section 1J Subsection (k) from:

The Act to Promote Equity and Excellence in Education

<p>(k) Each school designated by the commissioner as underperforming under subsection (a) shall be reviewed by the superintendent, in consultation with the principal of the school, at least annually. The purpose of the review shall be to determine whether the school has met the annual goals in its turnaround plan and to assess the overall implementation of the turnaround plan. The review shall be in writing and shall be submitted to the commissioner and the relevant school committee not later than July 1 for the preceding school year. The review shall be submitted in a format determined by the department of elementary and secondary education.</p> <p>If the commissioner determines that the school has met the annual performance goals stated in the turnaround plan, the review shall be considered sufficient and the implementation of the turnaround plan shall continue. If the commissioner determines that the school has not met 1 or more goals in the turnaround plan and that the failure to meet the goals may be corrected through reasonable modification of the plan, the superintendent may amend the turnaround plan in a manner consistent with the provisions of subsection (b) to (g) inclusive.</p> <p>If the commissioner determines that the school has substantially failed to meet multiple goals in the plan, the commissioner may require changes to the turnaround plan to be implemented by the superintendent in the following year or the appointment of an external partner to advise and assist the superintendent in implementing the plan the following year.</p> <p>If the commissioner determines that the school has substantially failed to meet 1 or more goals in the plan, the commissioner may appoint an examiner to conduct an evaluation of the school's implementation of the turnaround plan, require changes to the turnaround plan to be implemented by the superintendent in the following year, or appoint an external partner to advise and assist the superintendent in implementing the plan in the following year. If the changes to the turnaround plan require changes in a collective bargaining agreement applicable to administrators, teachers or staff in the school, the bargaining procedure in subsection (e) of section 1K. shall be used. If an</p>	<p>underperforming school is operated by an external receiver, the commissioner may require the superintendent to terminate the receiver and develop a new turnaround plan; provided, however, that the superintendent shall not terminate the receiver before the completion of the first full school year of the operation of the underperforming school.</p> <p>64 If at any time, including upon the expiration of a turnaround plan pursuant to subsection</p> <p>65 (l), the commissioner determines that the district is taking insufficient steps to implement</p> <p>66 changes to the turnaround plan directed by the commissioner, the commissioner may, effective at</p> <p>67 the beginning of the following school year, place a share of the district's chapter 70 school aid</p> <p>68 allocation in the Public School Turnaround Fund established under section 35NNN of chapter 10</p> <p>69 until such time as the district implements the changes as determined by the commissioner. The</p> <p>70 maximum share shall be determined by multiplying the district's per pupil chapter 70 school aid</p> <p>71 by the number of students enrolled in the school. Any such funds withheld from a district under</p> <p>72 this paragraph shall not be deducted from the district's school-based budgets or from direct</p> <p>73 services to students.</p> <p>42 SECTION 3. Subsection (k) of said section 1J of said chapter 69, as so appearing, is</p> <p>43 hereby amended by inserting after the word "superintendent", in line 351, the following words:-</p> <p>44 and commissioner.</p> <p>45 SECTION 4. Said subsection (k) of said section 1J of said chapter 69, as so appearing, is</p> <p>46 hereby further amended by striking out, in line 355, the word "commissioner" and inserting in</p> <p>47 place thereof the following word:- department.</p> <p>COULD NOT FIND A NUMBERED COPY OF 1J (K). THESE GO SOMEWHERE IN THERE.</p>
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AS AMERICANS, HOW CAN YOU VOTE FOR THIS?



Draft / Confidential

Our conversation today

- ☐ CCSS and Model Curriculum Overview
- ☐ PARCC Updates
- ☐ NJ ASK Transition
- ☐ Regional Achievement Centers
- ☐ College and Career Readiness Task Force

The Quiet Revolution & Model Curriculum

Common Core State Standards

- Fewer, clearer, more rigorous
- Internationally benchmarked

Commonness

- Leverage state and nation-wide expertise (46 States and DC)
- PARCC (23 States and DC)

Continuous improvement

- Model 1.0 followed by Model 2.0
- Professional Development (content & grade specific)

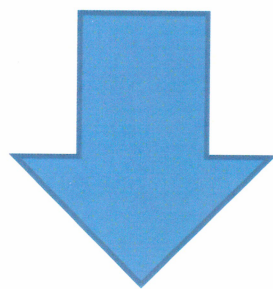
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The CCSS Difference: Grade 7 ELA

Before: NJCCCS (2004)

1. Produce written work and oral work that demonstrate comprehension of informational materials.



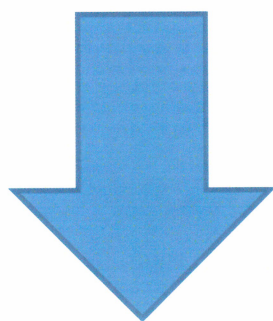
After: CCSS (2010)

2. Determine two or more central ideas in a text and analyze their development over the course of the text; provide an objective summary of the text.

The CCSS Difference: Grade 8 Math

Before: NJCCCS (2004)

1. Understand and apply the Pythagorean Theorem.



After: CCSS (2010)

1. Explain a proof of the Pythagorean Theorem and its converse.
2. Apply the Pythagorean Theorem to determine unknown side lengths in right triangles in real-world and mathematical problems in two and three dimensions.
3. Apply the Pythagorean Theorem to find the distance between two points in a coordinate system.

The CCSS Difference: Grade 3-5 ELA: Integration of Knowledge and ideas

Grade 3: **Compare and contrast the most important points and key details** presented in **two texts** on the same topic

Grade 4: **Integrate information** from two texts on the same topic **in order to write or speak about the subject knowledgably**

Grade 5: Integrate information from **several texts** on the same topic in order to write or speak about the subject knowledgably.

College Readiness : Grade 11 ELA

Write arguments to support claim(s) in an analysis of substantive topics or texts, using valid reasoning and relevant and sufficient evidence

Introduce **precise** knowledgeable claims(s), establish the **significance** of the claim(s), **distinguish** the claim(s) from alternate or opposing claims, and create an **organization** that logically sequences claim(s), counterclaim(s), reasons and evidence.

Develop claim(s) and counterclaim(s) **fairly and thoroughly**, supplying the **most relevant evidence** for each while pointing out the **strengths and limitations** of both in a manner that **anticipates the audience’s** knowledge level, concerns, values, and possible biases.

Model Curriculum 1.0

Version 1.0		Version 2.0		Version 1.0
WHAT Students need to Learn		HOW We can best Instruct		WHEN do we know students have Learned
Standard	Student Learning Objectives	Instruction	Formative Assessments	Summative/Formative
CCSS Standard 1	SLO #1 SLO #2	<ul style="list-style-type: none">• Model Lessons• Model Tasks• Engaging Instructional Strategies	<ul style="list-style-type: none">• Effective checks for understanding• Teacher designed formative assessments	Unit Assessment SLOs 1-5
CCSS Standard 2	SLO #3 SLO #4			
	SLO #5			
General Bank of Assessment Items 2.0				
Student level learning reports - Professional development - Resource reviews				

Model Curriculum

Grade 3 sample formative assessment items

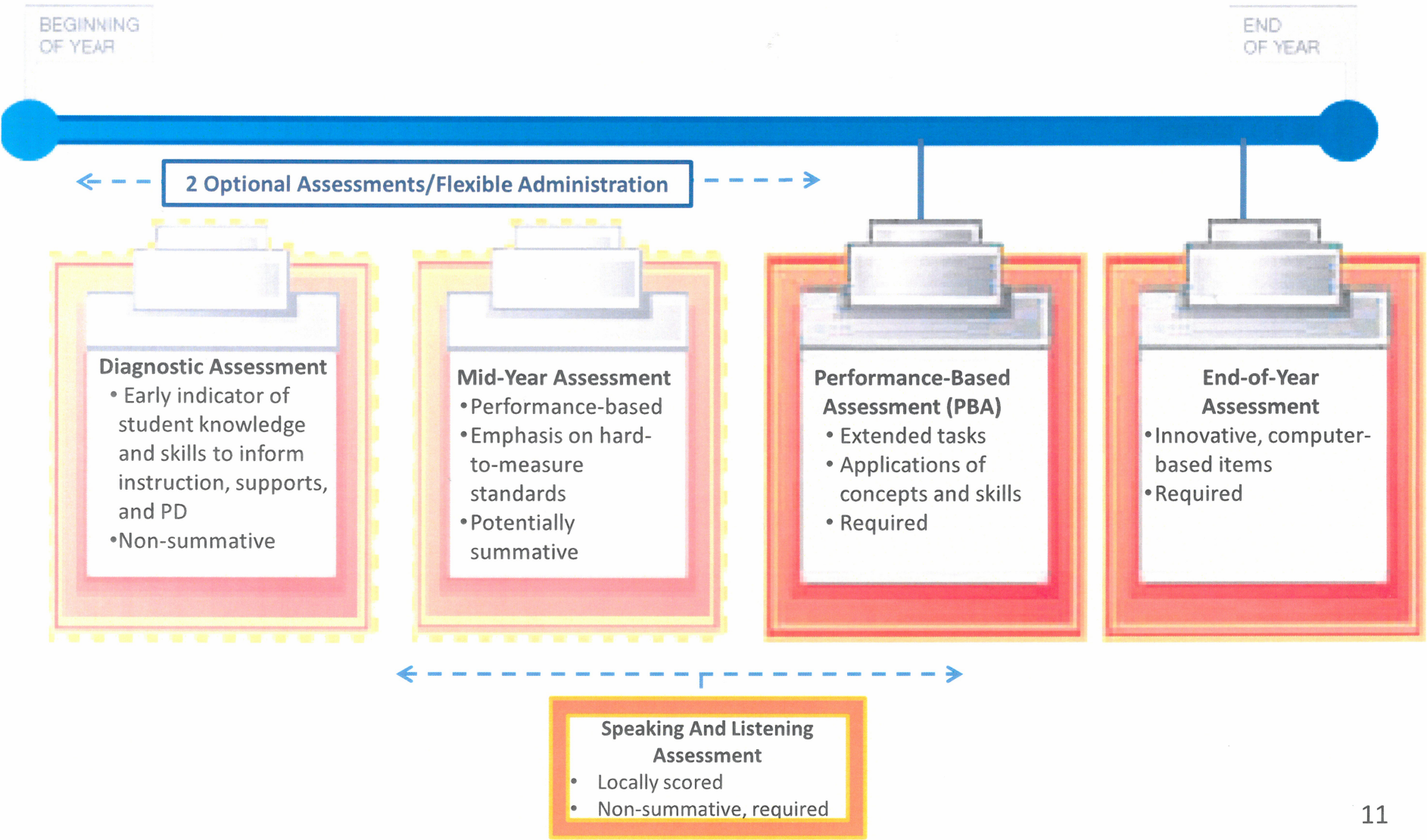
Code #	CCSS and/or NJCCCS	
3.NF.1	Understand a fraction $\frac{1}{b}$ as the quantity formed by 1 part when a whole is partitioned into b equal parts; understand a fraction $\frac{a}{b}$ as the quantity formed by a parts of size $\frac{1}{b}$.	
#	STUDENT LEARNING OBJECTIVES	CORRESPONDING CCSS/NJCCCS
3	Identify unit fractions and fractions composed of unit fractions on the number line.	3.NF.1
VOCABULARY		
Partitioning, Unknown, Equation, Multiple, Properties of Operations, Arrays		
ASSESSMENT		
Sample SLO #3	<div><div>Find the fraction numeral which names the location X.</div><div><div><div><div></div><div></div><div></div><div></div><div></div></div><div>0X1</div></div><div><div>a. $\frac{2}{4}$</div><div>b. $\frac{2}{3}$</div><div>c. $\frac{1}{2}$</div><div>d. $\frac{3}{4}$</div></div></div></div>	
Sample SLO #3	Bob, Jasmine, Margo, Tim and Elijah were a team. Only Bob and Margo were bused to school. What part of the team did not arrive by bus? A. $\frac{2}{3}$ B. $\frac{3}{5}$ C. $\frac{2}{5}$ D. $\frac{1}{2}$	

Common Standards require Common Assessments

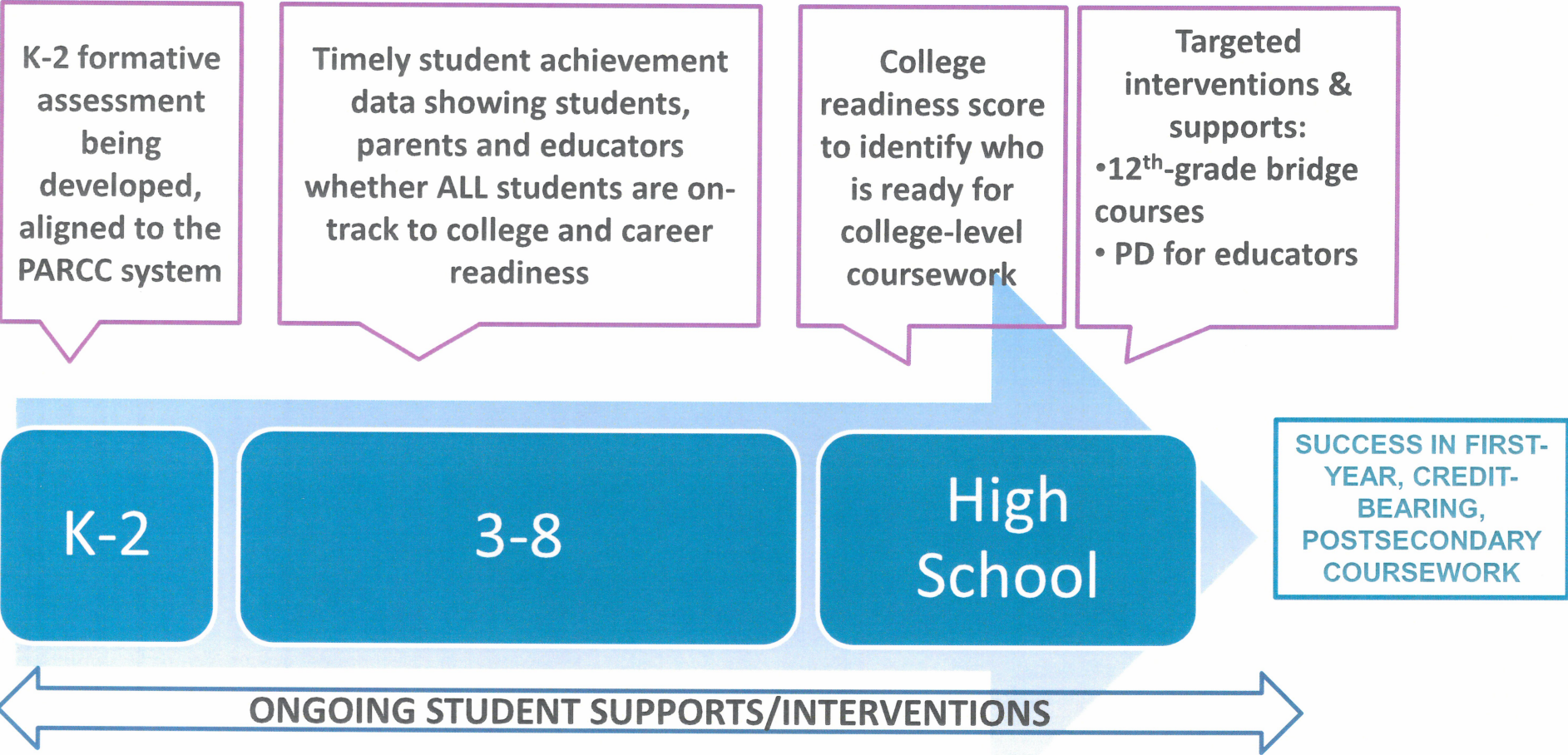
- **Common Core State Standards** are critical, but just the first step
- **Common Assessments** aligned to the Common Core will **help** ensure the new standards truly reach every classroom
- **Quality Implementation** is required for students to reap the benefits of new standards

PARCC Assessment Design

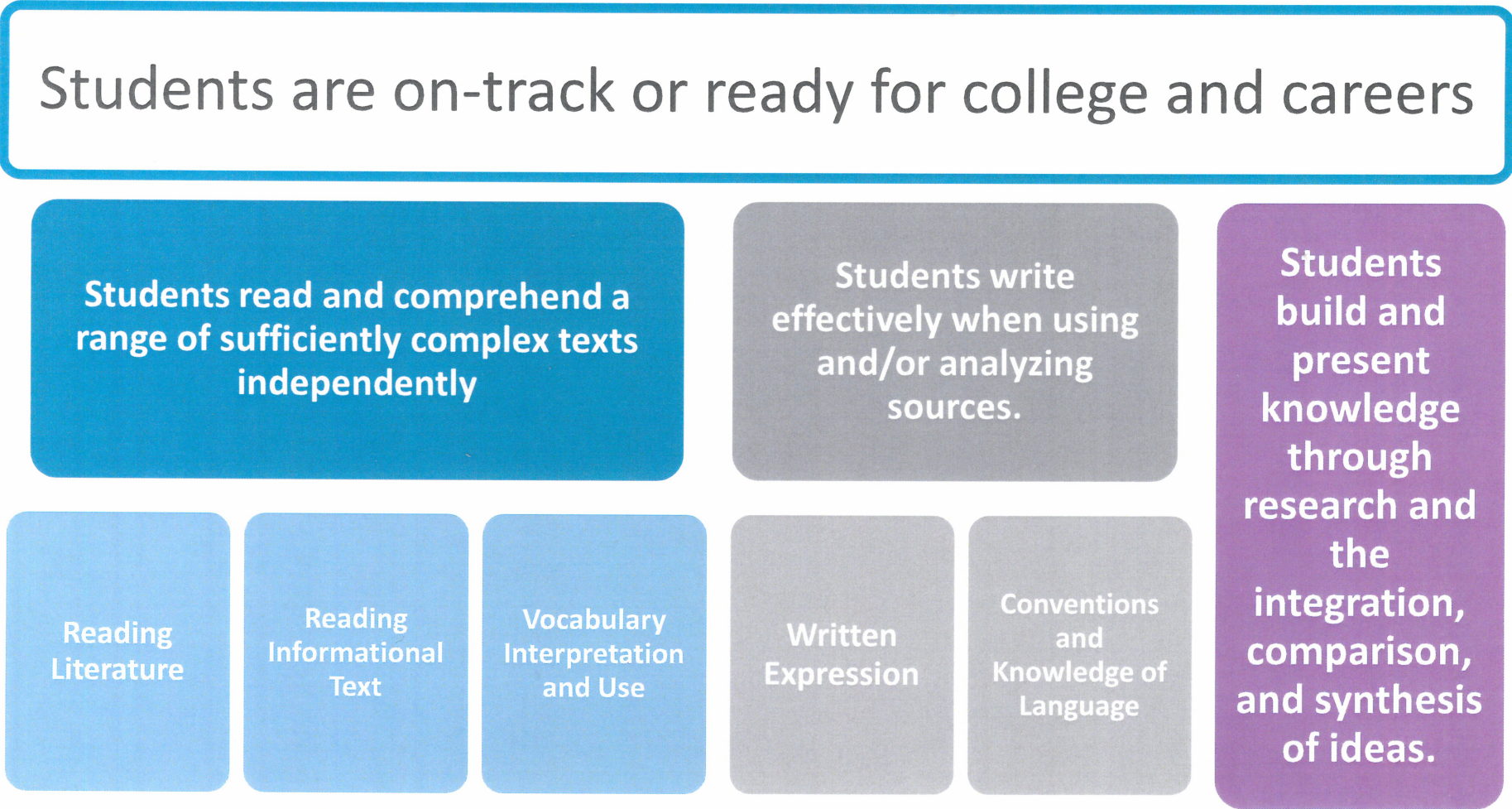
English Language Arts/Literacy and Mathematics, Grades 3-11



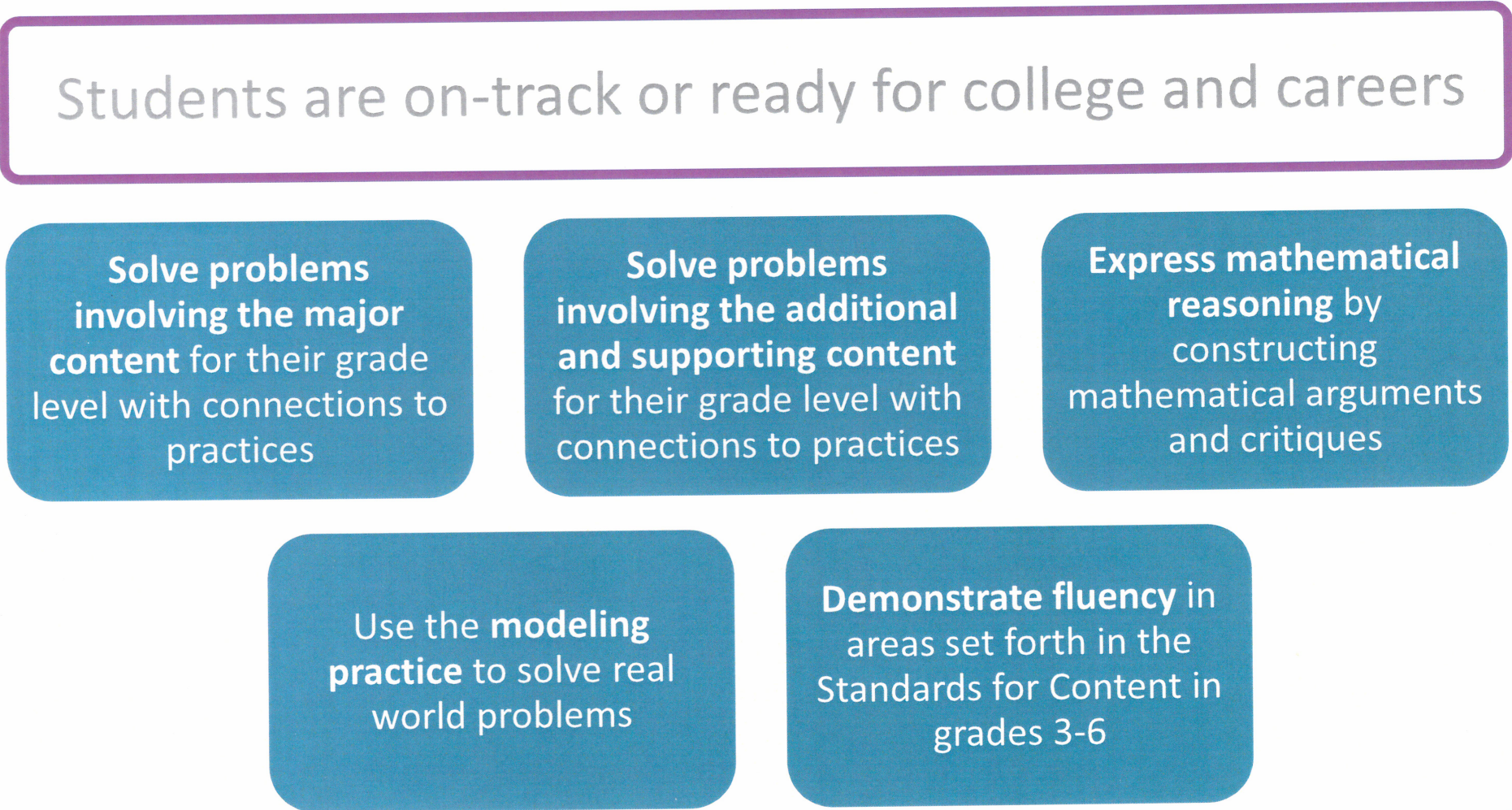
Goal #2: Build a Pathway to College and Career Readiness



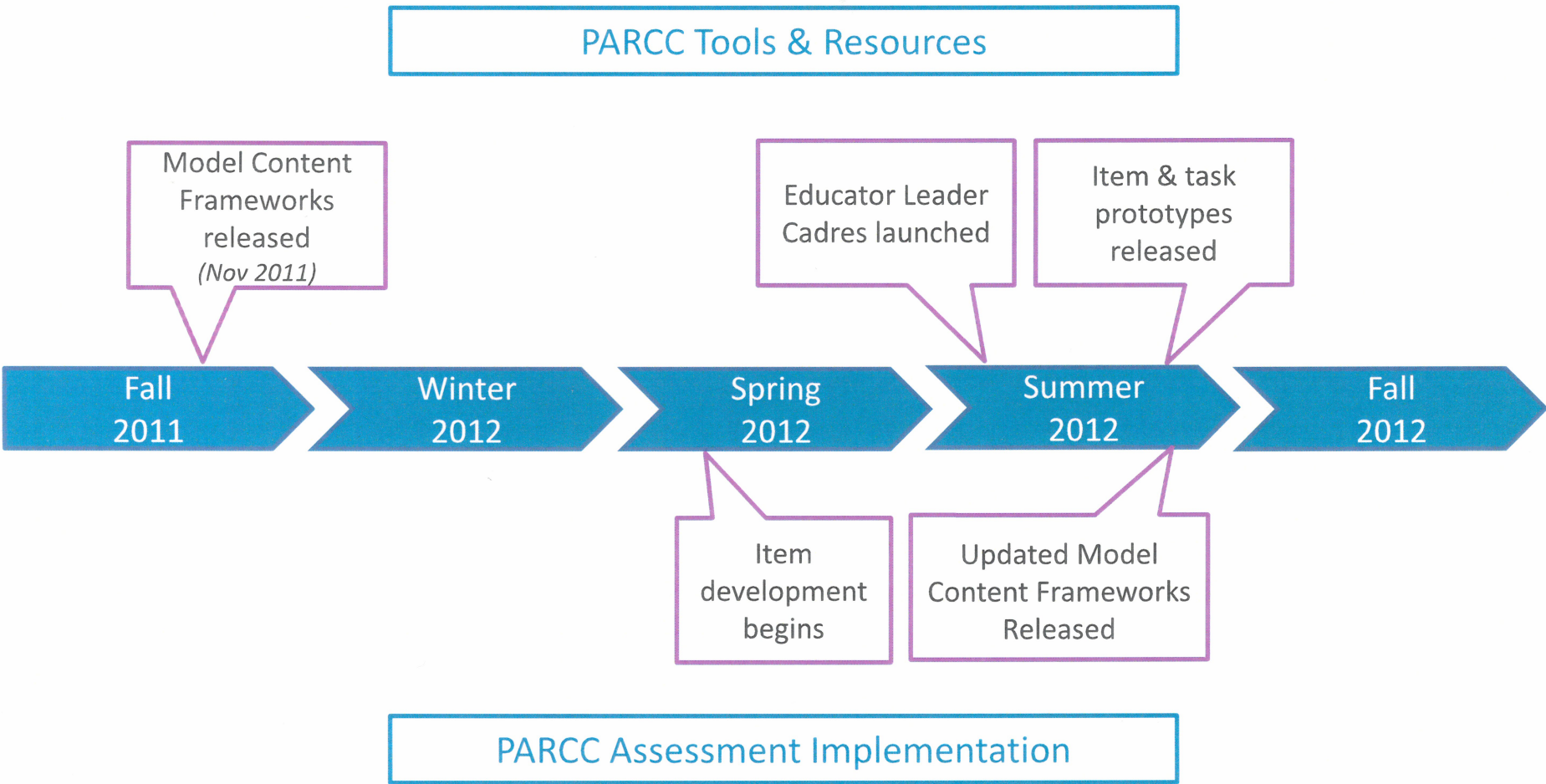
Claims Driving Design: ELA/Literacy



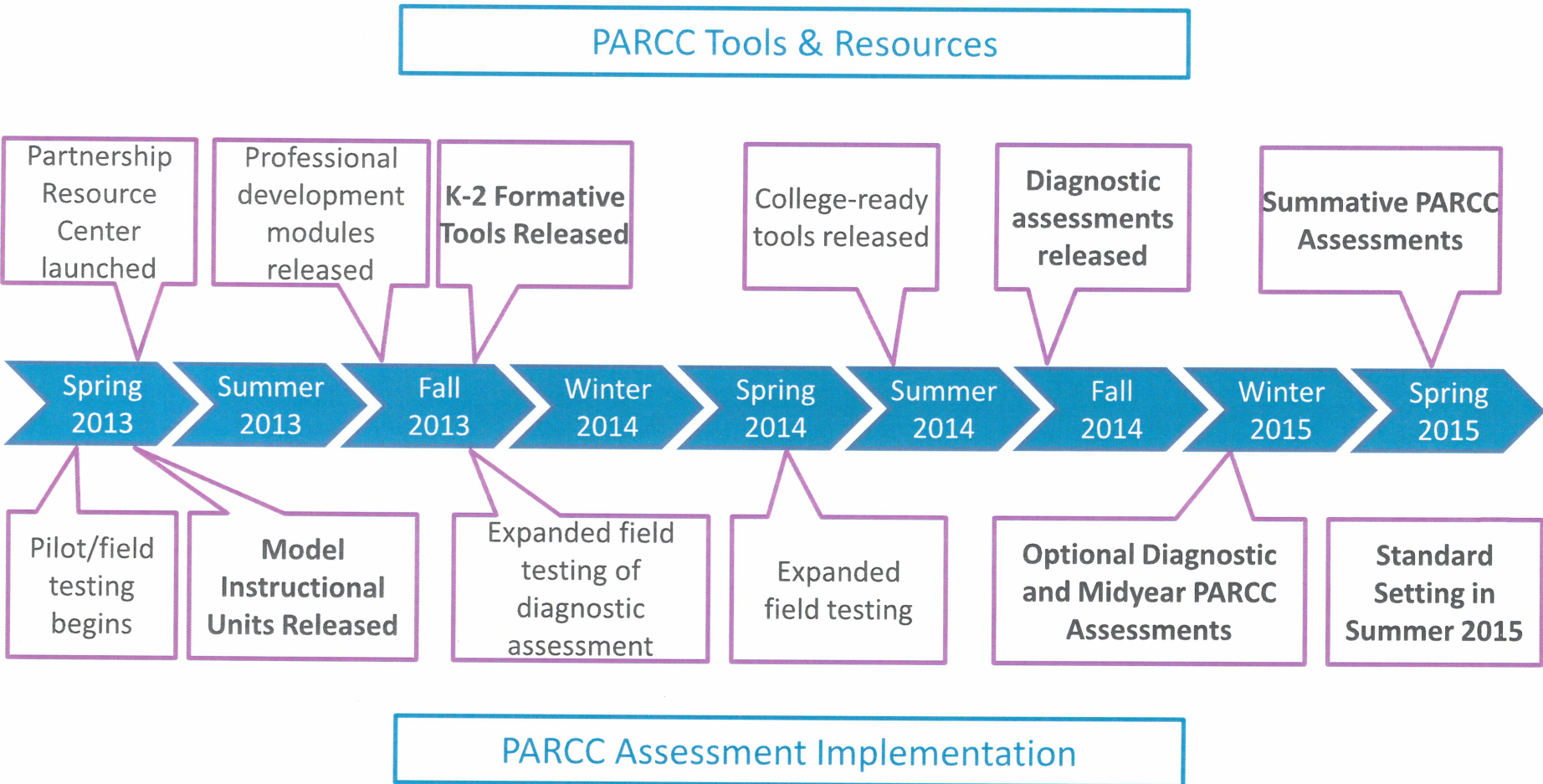
Claims Driving Design: Mathematics



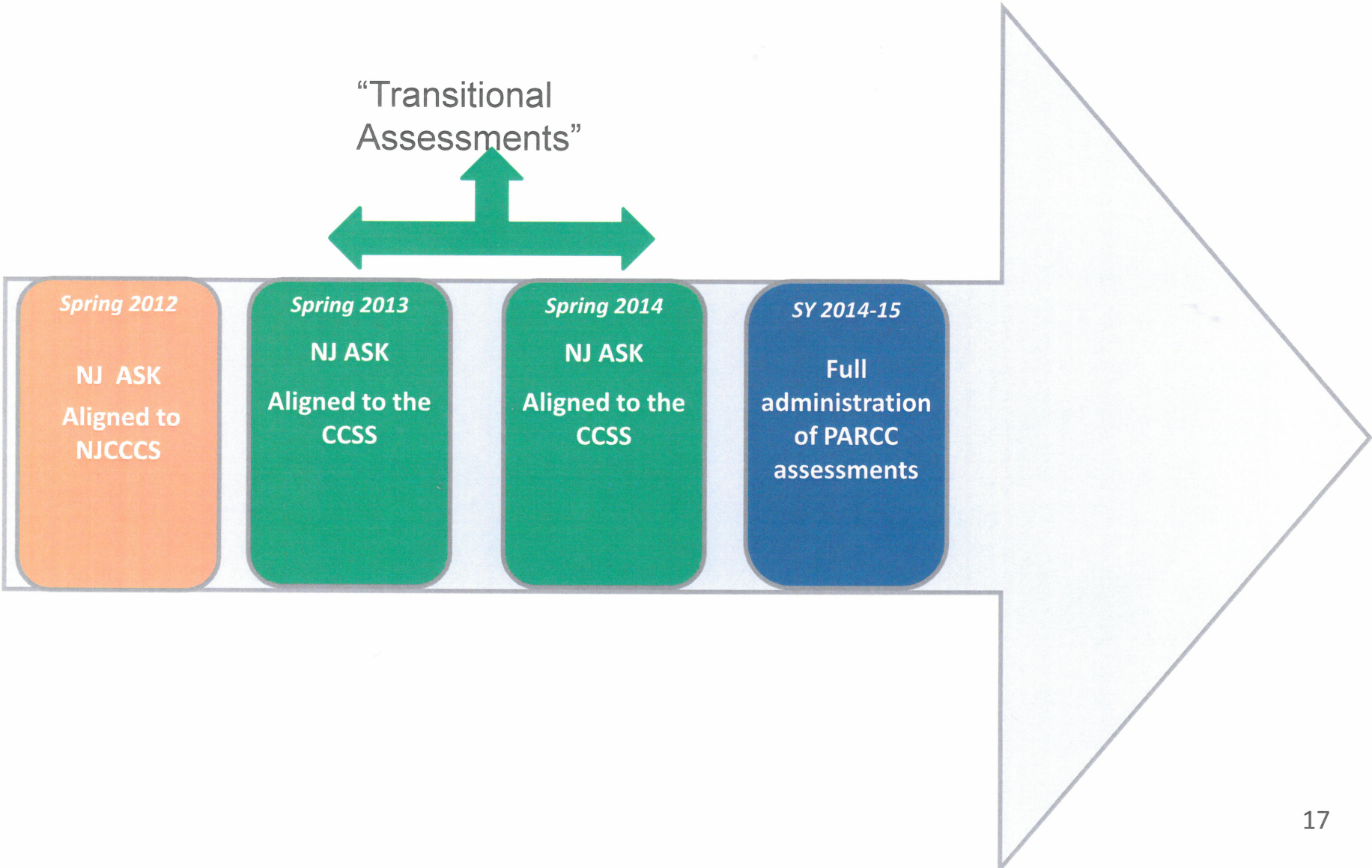
PARCC Timeline Through 2011-12



Timeline Through First PARCC Administration in 2014-2015



Assessment Transition Timeline



Regional Achievement Centers



Context for the Regional Achievement Centers (RACs)

Through New Jersey’s waiver from provisions of the Elementary and Secondary Education Act (ESEA), the Department of Education has developed a new school accountability system to replace certain provisions of No Child Left Behind.

The Department is undergoing a fundamental shift from a system of primarily oversight and monitoring to service delivery and support

RACs represent the Department’s most ambitious, focused effort to date to improve student achievement across the state:

- Shift focus from all schools to low performing schools
- Significant resources aligned with proven turnaround principles
- State resources and activities coordinated to support RACs

Regional Achievement Center mission & guiding principles

RAC Mission Statement:

New Jersey’s Regional Achievement Centers, struggling schools, and their districts will partner to set clear goals for student growth, put proven turnaround principles into action, and use data to drive decision-making and accountability. Working together, we will meet our shared goal of closing the achievement gap and preparing all of our students for success in college and career.

RAC Guiding Principles:

- **Partnership:** Regional Achievement Centers, Priority and Focus Schools, and their districts work together.
- **Research base:** School turnaround principles proven to drive student achievement are put into action.
- **Support:** High impact professional development is regularly provided to teachers, leaders, and Regional Achievement Center teams. Resources are targeted to support Priority and Focus Schools.
- **Accountability:** RAC teams, Priority and Focus Schools, and their districts are held directly accountable for results.

Regional Achievement Centers approach

- Identify schools
- Assess needs
Quality School Review (QSR) and School Improvement Plan
- Implement targeted interventions aligned to proven turnaround principles

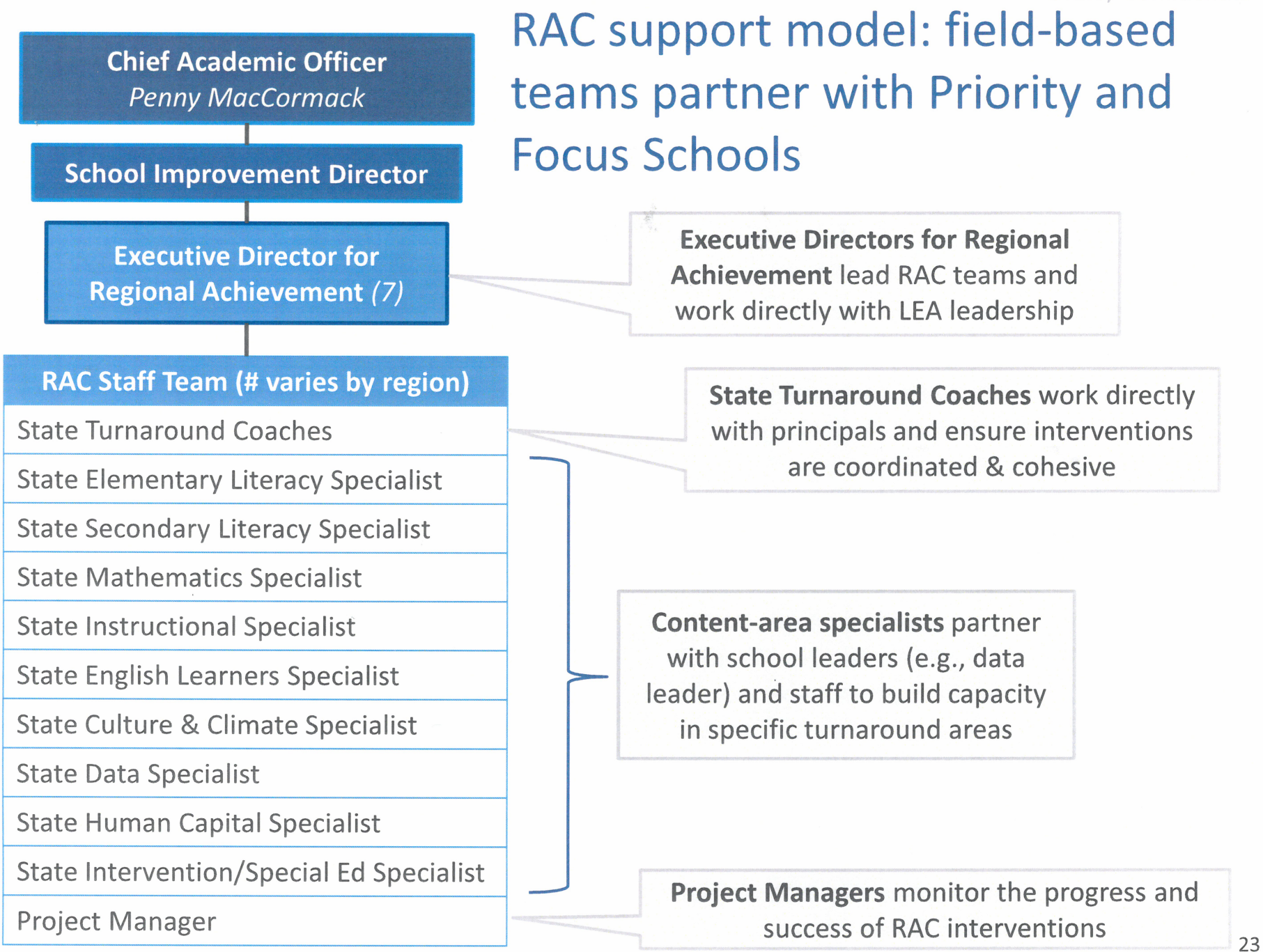
8 Turnaround Principles

- 1. School Leadership:** The principal has the ability to lead the turnaround effort
- 2. School Climate and Culture:** A climate conducive to learning and a culture of high expectations
- 3. Effective Instruction:** Teachers utilize research-based effective instruction to meet the needs of all students
- 4. Curriculum, Assessment, and Intervention System:** Teachers have the foundational documents and instructional materials needed to teach to the rigorous college and career ready standards that have been adopted
- 5. Effective Staffing Practices:** The skills to better recruit, retain and develop effective teachers and school leaders
- 6. Enabling the Effective Use of Data:** School-wide use of data focused on improving teaching and learning, as well as climate and culture
- 7. Effective Use of Time:** Time is designed to better meet student needs and increase teacher collaboration focused on improving teaching and learning
- 8. Effective Family and Community Engagement:** Increased academically focused family and community engagement

Regional Achievement Centers approach

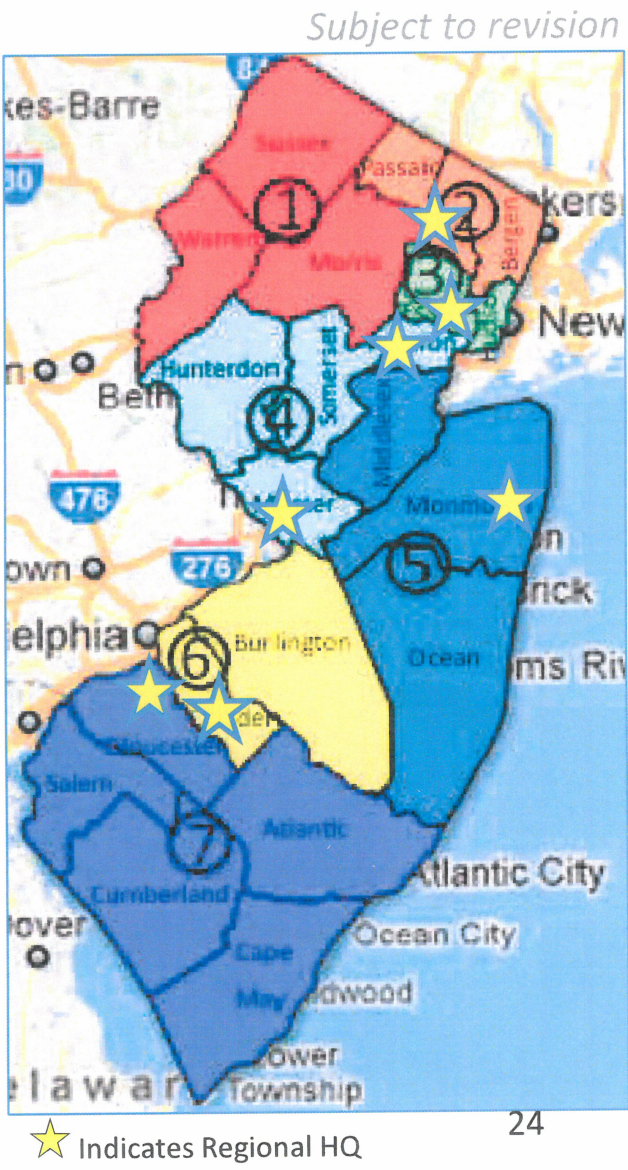
☐ Demonstrated or completed

Major element	1	2	3	4
	Quality School Review (QSR)	School Improvement Plan (SIP)	School Accountability Management	Student performance
Timing	Spring and fall 2012	Aug – Oct 2012	Sept 2012 – ongoing	Ongoing
Description	Baseline evaluation of schools on indicators based upon the 8 turnaround principles; replaces CAPA	Collaborative plan created by schools, districts, and the RAC staff for specific intervention activities against all QSR indicators	Clearly defined metrics to measure implementation progress and initial student outcomes on the SIP intervention activities	Student performance on 6-week formative assessments (Priority Schools and select Focus Schools); student performance on NJASK and HSPA
Illustrative example	<div><ul style="list-style-type: none">• Turnaround Principle: Quality of Instruction• QSR Indicator 3.3: Teachers use frequent checks for understanding during and at the end of each lesson to inform future instruction.<p>Evidence of need:</p><div><input type="checkbox"/> Less than 50% of teachers observed used high quality checks for understanding</div></div>	<div><ul style="list-style-type: none">• SIP intervention activities on indicator:<div><input type="checkbox"/> Targeted PD for teachers on high quality checks for understanding (e.g., wait time)</div></div>	<div><ul style="list-style-type: none">• 50-day review<div><input checked="" type="checkbox"/> 95% attendance at targeted PD session</div><div><input checked="" type="checkbox"/> 50 – 70% of teachers observed used high quality checks for understanding</div><ul style="list-style-type: none">• 100-day review<div><input checked="" type="checkbox"/> 70 – 90% of teachers observed used high quality checks for understanding</div></div>	<div><ul style="list-style-type: none">• Formative assessments:<div><input type="checkbox"/> 18 week assessment: 10 point increase from baseline in reading and math</div><ul style="list-style-type: none">• NJASK:<div><input type="checkbox"/> 45% proficiency (4 point increase) in both math and reading in year 1</div></div>

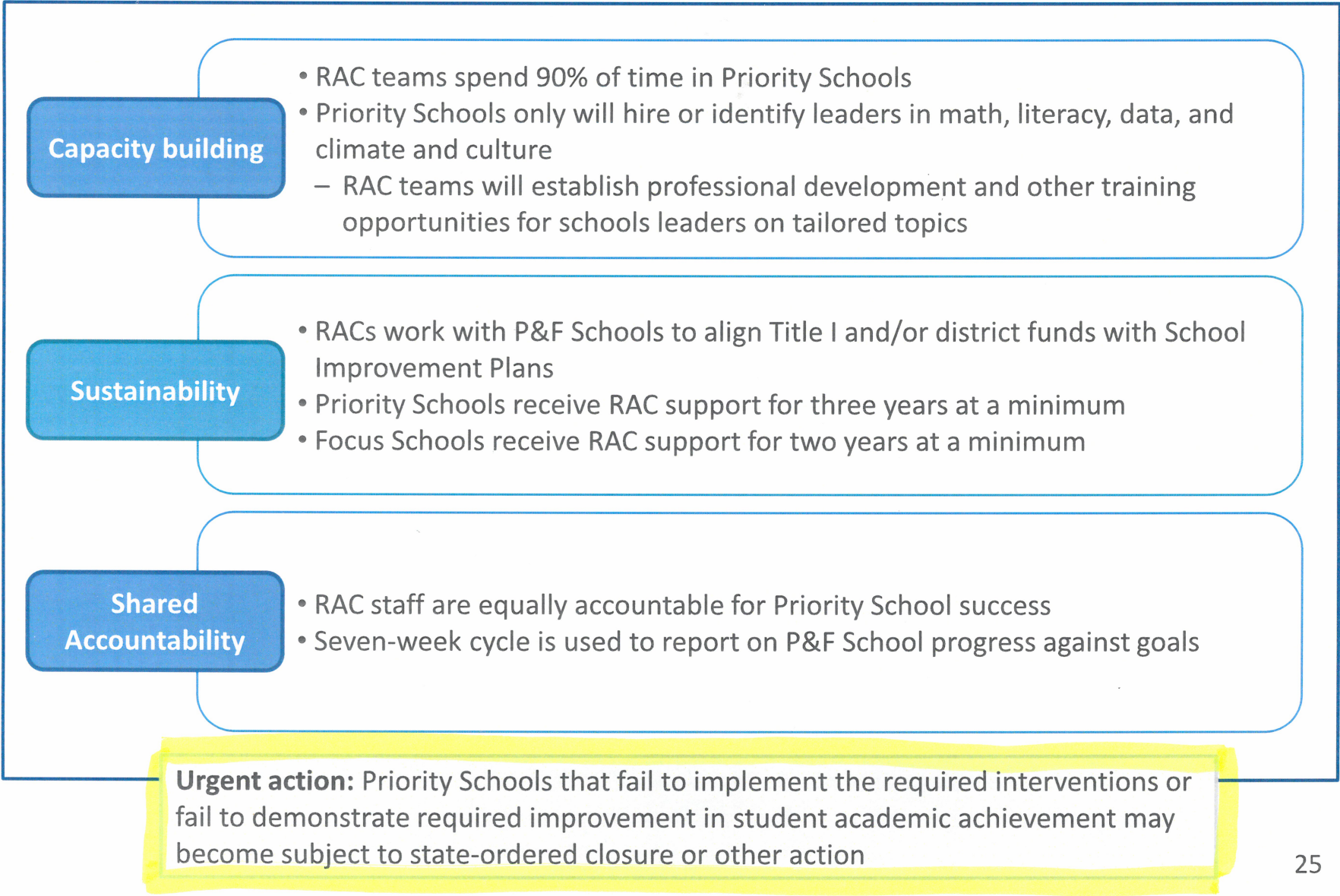


RACs are organized geographically; each RAC field team will have an office within the region

#	Counties	# Priority Schools	# Focus Schools	Total Priority & Focus
1	Morris - Sussex - Warren	0	5	5
2	Bergen - Passaic	6	39	45
3	Essex - Hudson	26	46	72
4	Hunterdon - Mercer - Somerset - Union	15	26	41
5	Middlesex – Monmouth - Ocean	3	30	33
6	Camden - Burlington	24	3	27
7	Atlantic - Cape May - Cumberland - Salem - Gloucester	1	34	35



RAC focus: capacity building, sustainability, shared accountability



Transition to College and Career Ready Task Force



The Problem:

Disconnect between High School graduation requirements and College & Career readiness

- College Remediation Rates
- Business/Industry Failure Rates



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Task Force Charge

- What does college and career readiness mean?
- What is the appropriate way to assess this level of achievement?
- What graduation requirements should be mandatory, including comprehensive examinations and end-of-course assessments?
- What processes, benchmarks, and timelines should be established to guide the transition from the current system to the new system?

Task Force Membership

- PreK-12
- Community Colleges
- 4-Year Colleges
- Business/Industry
- State Department of Education



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What does college and career readiness mean?

Common Core State Standards

- Adopted by New Jersey June 2010
- Literacy (ELA, Social Studies/History, Science)
- Mathematics
- Focused, clear, coherent progression
- 46 states & DC

The Task force recognized that other measures should be included

30

15

What is the appropriate way to assess this level of achievement?

End-of-Course Assessments

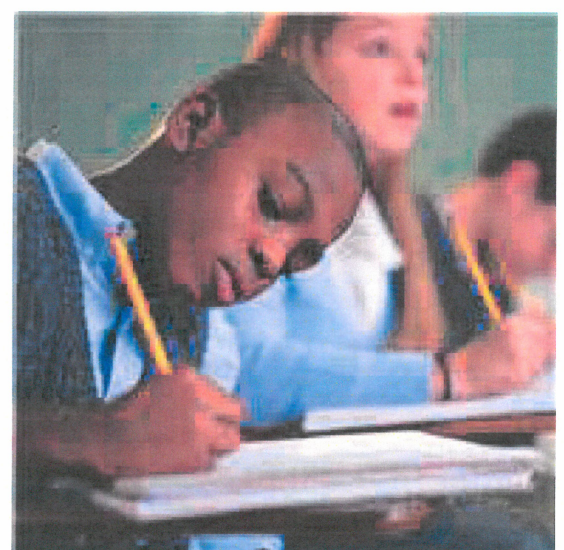
- Correspond to specific learning standards
- Inform classroom practice and teacher professional development
- PARCC (23 states): Grades 9,10,11 ELA and Mathematics
- DOE to develop additional EOCs (initially Science and Social Studies)

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Draft / Confidential

What graduation requirements should be required?

- DOE and Higher Education to determine EOC “proficiency” levels
- DOE to determine number and type of EOCs required for a high school diploma (includes CCSS and non-CCSS)
- Districts have flexibility on non-CCSS assessment development



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What processes, benchmarks, and timelines should be established to guide the transition from the current system to the new system?

PHASED TRANSITION

Phase I:	Current grades 9-12 <ul style="list-style-type: none">• HSPA/AHSHA• Optional: SAT, ACS, Accuplacer/Bridge course
Phase II:	Current grades 5-8 <ul style="list-style-type: none">• Pilot new EOCs (teacher training and setting proficiency)• Optional SAT, ACT, Accuplacer/Bridge course
Phase III:	Current grade 4 and below <ul style="list-style-type: none">• New EOC graduation requirements include re-taking modules

What you can expect of me...

- Willingness to listen, learn & reflect
- Quiet determination
- Persistence
- Resilience

What I need from you ...

- Honest constructive feedback
- Willingness to problem solve
- Expect the DOE to continuously improve





Home

RAC Overview

For Priority & Focus Schools/Districts

Career Opportunities

RAC Results

RAC Searchlight

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When schools succeed, Contact Us | Privacy | students ACHIEVE.

Department: Families | Students | Educators | Community | Programs & Services | Ask DOE | DOE A to Z | Join Our Mailing List

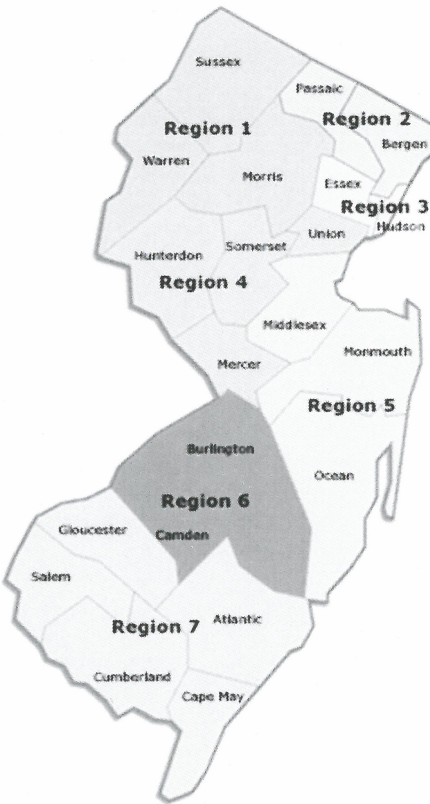
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As outlined in New Jersey's No Child Left Behind waiver, the Department is undergoing a fundamental shift from a system of oversight and monitoring to service delivery and support. The Department will recognize high performing "Reward" schools and shift significant resources and support to "Priority" and "Focus" schools, those schools that are the lowest performing in the state or that have significant achievement gaps.

Seven field-based Regional Achievement Centers (RACs) staffed with expert school turnaround teams will work directly with Priority and Focus Schools to implement proven turnaround principles and dramatically improve student achievement.

Although the RACs will focus on schools as the main unit of change, significant collaboration and communication will take place with school districts to ensure cohesive, sustained improvement.

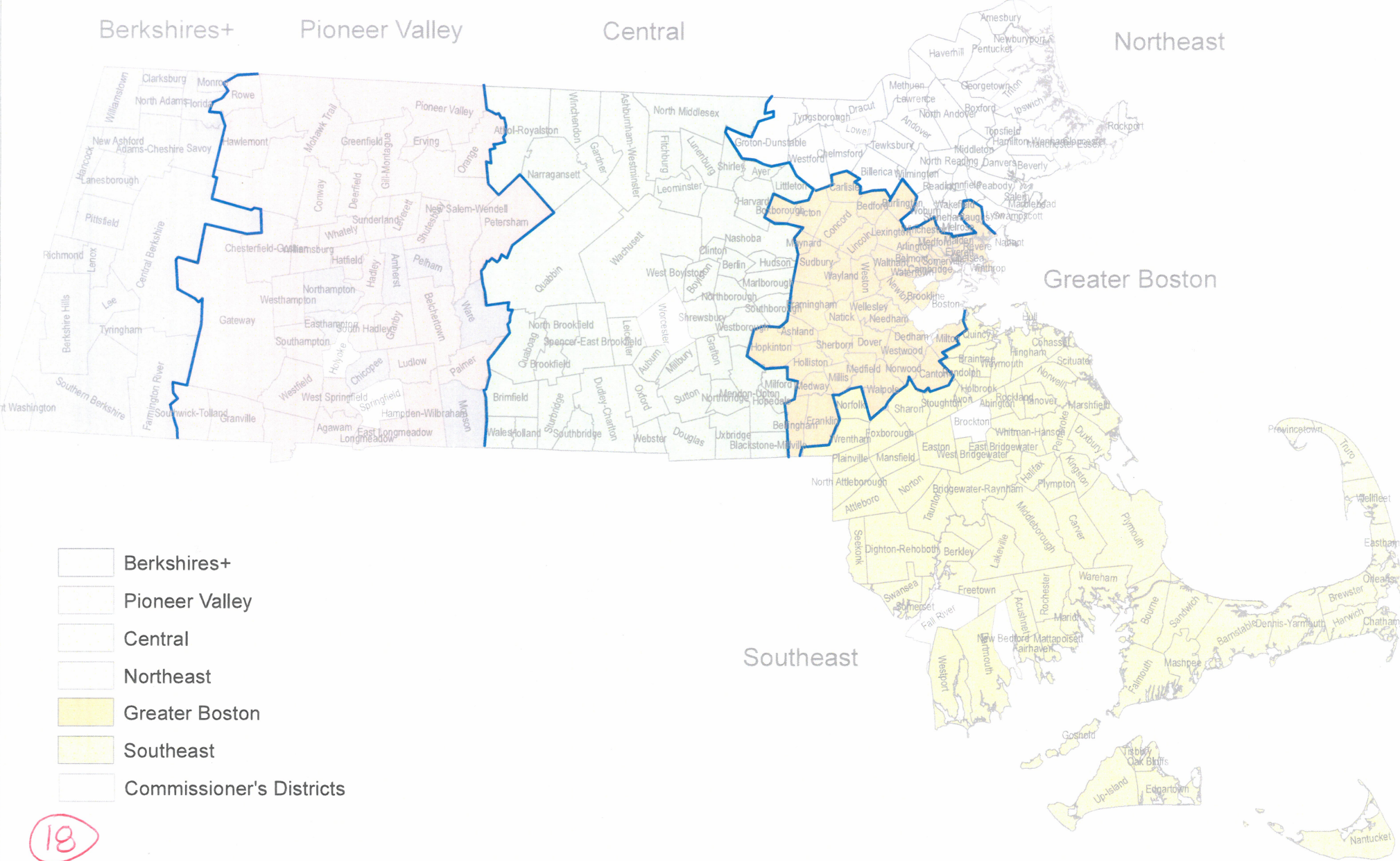
If interventions are implemented faithfully, the Department believes that each Priority and Focus School should achieve sustained, positive growth in student achievement that dramatically narrows the achievement gap and sets schools on a trajectory for preparing all students for college and career.



OPRA | Open Public Records Act
Trenton, NJ 08625-0500,
(877)900-6960

NJ Department of Education,
PO Box 500,

District and School Assistance Center (DSAC) Regions



Readiness Centers Initiative

Governor Patrick's Education Action Agenda included a recommendation to establish regional Readiness Centers, multipurpose and collaborative centers focused on improving the quality of teaching both across the education continuum and across Massachusetts. The Executive Office of Education (EOE) established six Readiness Centers in October 2009, and they are managed and operated by regional consortia of partners that include public and private institutions of higher education, school districts, early education and out-of-school-time providers, educational collaboratives, non-profit organizations, and business and community partners.

Core Functions of the Readiness Centers

- Provide high-quality professional development and instructional services to educators in early education and out-of-school-time programs, K-12 institutions, and higher education institutions to address both local/regional needs and statewide priorities
- Convene stakeholders from early education, elementary and secondary education, higher education, and other sectors to collaboratively address key education priorities, leverage resources, build statewide capacity, and increase integration and coherence across the education continuum

The Readiness Centers are beginning to provide professional development and instructional services to address local/regional needs and the following statewide priorities: 1) closing persistent achievement gaps among different groups of students; 2) improving the quality of instruction for English language learners, students receiving special education services, and in STEM courses of study; 3) using data more effectively to assess student progress and inform instruction; and 4) improving the quality of early education and out-of-school-time services in Massachusetts. In addition, they are leveraging existing relationships and building new partnerships among stakeholders to improve the delivery mechanisms through which services are provided to educators and also collaboratively address the following education priorities: 1) developing and implementing a rigorous and aligned P-20 curriculum; 2) developing and retaining an effective educator workforce; 3) improving reading proficiency for children from birth through grade three; 4) increasing college and career readiness; and 5) increasing student engagement and success in STEM fields of study.

Each Readiness Center is also providing a site and basic operational support for a District and School Assistance Center that is providing targeted assistance and focused professional development to selected districts and schools that are identified pursuant to regulations of the Board of Elementary and Secondary Education.

Leadership and Governance

In collaboration with the Departments of Early Education and Care (EEC), Elementary and Secondary Education (ESE), and Higher Education (DHE); the Standing Committee on Professional Education for the State Colleges Council of Presidents (SCOPE); and other partners, the EOE has established an organizational structure to sustain this initiative. The Readiness Centers Network includes all of the regional partners and state representatives, and supports successful partnerships among the Readiness Centers by disseminating information about effective professional development models and instructional

practices and developing strategies that address common needs across all regions. In addition, the Readiness Centers Coordinating Committee, which includes representatives from each region and also state representatives, is the leadership team for this initiative.

The six Readiness Centers and the primary regional partners are as follows.

Berkshire Readiness Center – Massachusetts College of Liberal Arts, Berkshire Community College, and the Berkshire Compact for Higher Education

Central Massachusetts Readiness Center – Fitchburg State College, Massachusetts Elementary School Principals' Association, Worcester State College, Mount Wachusett Community College, Quinsigamond Community College, Ashburnham Westminster Regional School District, Auburn Public School District, Fitchburg Public Schools, Dudley-Charlton Regional School District, Worcester Public Schools, FLLAC Educational Collaborative, and the French River Education Center

Greater Boston Readiness Center – Framingham State College, University of Massachusetts Boston, Wheelock College, Massachusetts Bay Community College, and the Greater Boston Regional Collaboratives Organization

Northeast Regional Readiness Center – Salem State College, University of Massachusetts Lowell, North Shore Community College, Middlesex Community College, Northern Essex Community College, Merrimack College, Endicott College, and Gordon College

Pioneer Valley Readiness Center – Westfield State College, University of Massachusetts Amherst, Hampshire Educational Collaborative, and the Lower Pioneer Valley Educational Collaborative

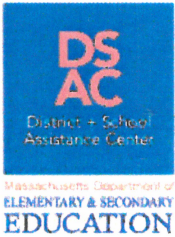
Southeastern Massachusetts Readiness Center – Bridgewater State College, University of Massachusetts Dartmouth, Bristol Community College, Cape Cod Community College, Massasoit Community College, Massachusetts Maritime Academy, Brockton Workforce Investment Board, New Bedford Workforce Investment Board, Southeast Collaboratives Regional Organization, Lighthouse Superintendents' Group, and the Lighthouse Assistant Superintendents' Group

Impact and Added Value

The Readiness Centers are having positive impact and adding value by:

- Increasing the effectiveness of educators across the continuum and across Massachusetts by increasing the quality, alignment, and coherence of professional development/instructional services;
- Maximizing the power of collaboration and convening local, regional, and state stakeholders to address critical issues in education;
- Building new mechanisms for sharing information about best practices and effective models; and
- Building local, regional, and statewide capacity to create a truly coherent and seamless education system in Massachusetts.

For additional information about the Readiness Centers initiative, please contact Saeyun Lee in the EOE at saeyun.lee@state.ma.us.



District and School Assistance Center (DSAC) Foundational Services
Summary of Targeted Assistance Options

The Massachusetts Department of Education (ESE) operates six ‘virtual’ regional [District and School Assistance Centers](#) (DSACs). DSAC teams partner with districts and their schools to support systemic approaches to accelerate student achievement. DSAC teams and districts work together to identify a set of assistance activities, drawn from the foundational services described below. The specific services are customized to meet districts’ focused improvement and targeted toward areas of greatest need, in order to improve instruction and raise achievement for all students. In collaboration with partner organizations, DSACs leverage the knowledge, skills, and expertise of local educators to address shared needs through an emphasis on expanding district and school capacity for sustained improvement.

Level 3 districts and non-Commissioner’s Level 4 districts have priority for receiving DSAC services. Level 2 districts and others may receive assistance and participate in some services as resources allow.

1. PLANNING AND IMPLEMENTATION STRATEGIES: Supporting Self-Assessment, Improvement Planning and Systems for Plan Implementation and Monitoring

- Focused Planning for Implementing High Leverage Strategies:** DSAC staff support districts to plan, implement, and track progress on a small set of focused, high leverage strategies that have direct impact on student learning. DSAC staff are prepared to support districts by utilizing a range of data resources, protocols and tools to engage in the Cycle of Inquiry and Improvement in partnership with districts. Assistance could include:
- a. **Focused District Planning for Accelerating Student Learning:** DSAC staff support district and school leaders to define a narrow set of strategic objectives, identify and implement well defined initiatives to meet the objectives, and systematically monitor the implementation and impact of the initiatives. DSAC staff may work one-on-one or in multi-district groups to facilitate planning and plan implementation.
 - b. **Prioritization:** DSAC staff collaborate with district and school leaders after an ESE Accountability District Review, participate in prioritizing next steps from the Review’s findings and recommendations, and identify strategies to support implementation of high leverage improvement efforts responsive to the greatest areas of need.
 - c. **District Self-Assessment:** DSAC staff support the use of ESE [District Standards and Indicators](#) to support district-level self-assessment. DSAC staff partner with districts to emphasize the alignment between district and school self-assessment and planning.
 - d. **School Self-Assessments:** DSAC staff support the use of ESE [Conditions for School Effectiveness](#) to support schools’ evaluation of their implementation of ESE standards for districts and schools.

2. ENHANCING CAPACITY TO IMPLEMENT AND SUSTAIN EFFECTIVE PRACTICES: Targeted Assistance Through Training, Modeling, and Facilitating the Implementation of Effective Practices

- DSAC staff partner with district and school leaders to enhance capacity and support the implementation of research-based practices designed to address targeted strategies in improvement plans. These are aligned with the Conditions for School Effectiveness and the District Standards and Indicators. Among the resources available from the DSACs are assistance in:
- a. Supporting leaders in the planning for and implementation of major systems change initiatives (e.g. [Educator Evaluation](#), Rethinking Equity for Teaching of English Language Learners ([RETELL](#)), [Curriculum Frameworks](#)) through integrating, aligning, and finding efficiencies within the contexts of districts’ overall improvement strategies
 - b. Supporting districts in developing effective standards-based curricula through guidance on curriculum mapping, assessment development, utilizing [Model Curriculum Units](#) and [Edwin Teaching & Learning](#)
 - c. Implementing effective data use systems and practices using ESE data tools, including the [District Data Team Toolkit](#), and [Edwin Analytics](#), and District Analysis and Review Tools ([DART](#))
 - d. Understanding, analyzing and applying ESE data such as [Student Growth Model](#), Early Warning Indicator System ([EWIS](#)), Performance and Progress Index ([PPI](#)) and Massachusetts Comprehensive Assessment System ([MCAS](#))

- e. Conducting classroom observations using the [Learning Walkthrough Guide](#) to enhance systems for collecting, tracking, analyzing and adjusting instructional practice based on data
- f. Supporting school and district leaders to implement professional development and monitor its impact in classroom practice
- g. Providing training and supporting ongoing [Professional Learning Communities](#) to establish systematic structures for improving instruction and organizational culture
- h. Supporting the implementation of the [Massachusetts Tiered System of Support](#), by facilitating self assessment, training, and guidance on establishing components of the system
- i. Coaching principals and other school and district leaders to establish the conditions and systems necessary to implement research based turnaround strategies

3. PROFESSIONAL LEARNING NETWORKS: Enhancing Regional Opportunities to Learn About and Share Effective Practices to Improve Student Achievement

- a. **Professional Development:** DSACs provide access to a [menu](#) of high-quality ESE sponsored and approved courses in leadership, mathematics, literacy, sheltered content, data use, and inclusive practices/special education. DSAC staff assist with professional development planning and are able to recommend professional development from the DSAC menu that is targeted to specific district needs. Professional Development is designed to meet high ESE standards for quality, is specifically aligned to MA Curriculum Frameworks, includes administrative overview sections, and details customized observable expectations for changes in instructional practice. Courses may be delivered regionally or in-district.
- b. **Networks and Learning Communities for Educators:** DSAC staff convene regional professional learning opportunities, including networks, to support capacity building in districts on topics including math, literacy, data use, and leadership. DSAC networks and learning communities:
 - Are aligned with ESE initiatives
 - Are based on regional needs and interest areas
 - Build on and enhance the expertise of participants
 - Use data to inform conversations
 - Focus on establishing systems to support effective, standards-based instruction

4. FUNDING AND RESOURCE ALLOCATION: Targeted Assistance and Improvement Grants

- DSAC grants provide limited funding to districts to support participation in professional development, networks, and initiatives to support systemic approaches to accelerate student achievement.
- DSAC Regional Assistance Directors consult with districts on targeting other federal and state grants and resources, such as Title I reservation funds and [Literacy Partnership grants](#), to support alignment with priorities.
- DSAC teams enhance school and district capacity to prioritize resource allocation and insure sustainability of successful initiatives by facilitating reflection on strategic resource management, and by supporting the identification of impact benchmarks for district and school strategic initiatives to build and sustain capacity with available resources.

We're sorry

We are unable to locate information at:

http://www.doe.mass.edu:80/dsac

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14 captures

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Massachusetts Department of
Elementary & Secondary Education

--Select Program Area--

News

School/District Profiles

School/District Administration

Student Assessment

Accountability, Partnership, & Assistance

Assessment/Accountability

Compliance/Monitoring

Family & Community

Accountability, Partnership, & Assistance

STATE SYSTEM OF SUPPORT HEADLINES:

07/08/13

Release of 2013 MCAS and MCAS Alternate Assessment Results and Accountability Data

RSS

APA News Archives

General Information & Organization

Title I / Federal Support Programs

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District Analysis, Review, & Assistance Tools

Partnership

Regional Support

Urban District Assistance

District & School Turnaround

Home

Professional Development

DSAC Teams

DSAC

District + School Assistance Center

Each **District and School Assistance Center Team** is led by a Regional Assistance Director, a part-time recently retired superintendent, who works with a small assistance team of a former principal, a data specialist, a mathematics specialist, and a literacy specialist. The DSAC teams collaborate with districts to assess their strengths and needs, facilitate access to resources and professional development, establish partnerships and networks, and deliver individualized assistance for the region's districts.

* Berkshires + DSAC Team

Districts Served

Team Profiles

Map of Districts Served by Berkshire+ DSAC

Donna Harlan, Regional Assistance Director

Christine Zajac, Support Facilitator

Bob Vaughan, Support Facilitator

Kimberly Roberts-Morandi, Data Specialist

Roxanne Dorrie, Literacy Specialist

John Bianchi, Math Specialist

Rachel Porter, Professional Development Coordinator

* Please note that some districts geographically located in the Pioneer Valley region are served by the Berkshires + DSAC team. Refer to the map of Berkshires + served districts above.

Central DSAC Team

Districts Served

Team Profiles

Joseph Connors, Regional Assistance Director

Bruce MacDonald, Support Facilitator

Thomas Lamey, Data Specialist

Patricia Meehan, Data Specialist

Tracey Martineau, Literacy Specialist

Cate Calise, Math Specialist

Rachel Porter, Professional Development Coordinator

Greater Boston DSAC Team

Districts Served

Mary Ann Jackman, Regional Assistance Director

Joe Petner, Support Facilitator

Joanne Roy, Support Facilitator

Casel Walker, Support Facilitator

Paula O'Sullivan, Data Specialist

Abbey Dick, Literacy Specialist

Norma Gordon, Math Specialist

Joyce Jackson, Professional Development Coordinator

Northeast DSAC Team

Districts Served

Team Profiles

David Troughton, Regional Assistance Director

Dale Bishop, Support Facilitator

Suzanne McGrail, Support Facilitator

Steve Bogdanoff, Data Specialist

Helene Levine, Literacy Specialist

Connie Varoudakis, Math Specialist

Joyce Jackson, Professional Development Coordinator

Pioneer Valley DSAC Team

Districts Served

Team Profiles

Kenneth Locke, Regional Assistance Director

Les Edinson, Support Facilitator

Christine Shea, Support Facilitator/Data Specialist

Zachary Smith, Data Specialist

Susan Kazeroid, Literacy Specialist

Rachel Porter, Professional Development Coordinator

Southeast DSAC Team

Districts Served

Marcia O'Neil, Regional Assistance Director

Nancy Legan, Support Facilitator

Bill Wibel, Support Facilitator

Laura Tilton, Data Specialist

Mary Ellen Caesar, Literacy Specialist

Pamela Murphy, Professional Development Coordinator

This page is maintained by dsac@doe.mass.edu

last updated: July 8, 2013

Massachusetts Department of
Elementary & Secondary Education

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SSoS Regional Staff

http://www.doe.mass.edu/turnaround/teams.html

Security Portal (https://gateway.edu.state.ma.us/) | A-Z Index (/resources/A-Zindex.aspx) | Select Language Powered by Google Translate (https://translate.google.com)

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Statewide System of Support (SSoS) (/turnaround/)

How it Works (/turnaround/howitworks/)

Broad/Comprehensive and Focused/Targeted Schools and Districts (/turnaround/level4/)

Grant Funding (/turnaround/redesign/)

SSoS Regional Staff

Each Regional Team is led by Regional Co-Directors. The teams collaborate with districts to assess their strengths and needs, facilitate access to resources and professional development, establish partnerships and networks, and deliver individualized assistance for the region's districts and schools.

Coastal SSoS Team

- ☑ Claire Abbott (mailto:CAbbott@doe.mass.edu), Educator Effectiveness
- ☑ Kerry Akashian (mailto:Kerry.Akashian@doe.mass.edu), Literacy Specialist
- ☑ Phil Bassett (mailto:phil.bassett@ssosma.org), Assistance Lead
- ☑ Susan Berglund (mailto:SBerglund@doe.mass.edu), Regional Co-Director
- ☑ Leslie Blaney (mailto:Leslie.Blaney@ssosma.org), Data Specialist
- ☑ Hilary Bresnahan (mailto:Hilary.Bresnahan@ssosma.org), Data Specialist
- ☑ Andrea Condit (mailto:ACondit@doe.mass.edu), Assistance Lead
- ☑ Anne DeMallie (mailto:ADemallie@doe.mass.edu), Digital Literacy Specialist
- ☑ Teresa Harvey-Jackson (mailto:Teresa.HarveyJackson@ssosma.org)
- ☑ Rebecca Hyde (mailto:Rebecca.Hyde@ssosma.org), Assistance Lead
- ☑ Mary Ann Jackman (mailto:MaryAnn.Jackman@ssosma.org), Regional Co-Director
- ☑ Nancy Legan (mailto:Nancy.Legan@ssosma.org), Assistance Lead
- ☑ Lindsay Lyons (mailto:lyndsay.lyons@ssosma.org)
- ☑ Edward Moccia (mailto:Edward.Moccia@ssosma.org)
- ☑ Kathi Norton (mailto:Kathi.Norton@ssosma.org), Resource Coordinator
- ☑ Marcia O'Neil (mailto:Marcia.ONeil@ssosma.org), Assistance Lead
- ☑ Maryanne Palmer (mailto:Maryanne.Palmer@ssosma.org), Assistance Lead
- ☑ Hillary Paul Metcalf (mailto:Hillary.Paul.Metcalf@doe.mass.edu), Science Specialist
- ☑ Joe Petner (mailto:AssiJoe.Petner@ssosma.org), Assistance Lead
- ☑ David Troughton (mailto:David.Troughton@ssosma.org), Assistance Lead
- ☑ Leah Tuckman (mailto:L.Tuckman@doe.mass.edu), Math Specialist
- ☑ David Valade (mailto:DValade@doe.mass.edu), English Language Learners
- ☑ Casel Walker (mailto:Casel.Walker@ssosma.org), Assistance Lead

West/Central SSoS Team

- ☑ Claire Abbott (mailto:CAbbott@doe.mass.edu), Educator Effectiveness
- ☑ Joe Connors (mailto:Joseph.Connors@ssosma.org), Assistance Lead
- ☑ Anne DeMallie (mailto:ADemallie@doe.mass.edu), Digital Literacy Specialist
- ☑ Les Edinson (mailto:Les.Edinson@ssosma.org), Assistance Lead
- ☑ Donna Harlan (mailto:Donna.Harlan@ssosma.org), Regional Co-Director
- ☑ Eileen Jachym (mailto:Eileen.Jachym@ssosma.org), Assistance Lead
- ☑ Susan Kazeroid (mailto:SKazeroid@doe.mass.edu), Literacy Specialist
- ☑ Tom Lamey (mailto:Thomas.Lamey@ssosma.org), Assistance Lead
- ☑ Bruce MacDonald (mailto:Bruce.MacDonald@ssosma.org), Assistance Lead
- ☑ Tracey Martineau (mailto:TMartineau@doe.mass.edu), Literacy Specialist
- ☑ Llama Maynard (mailto:Llama.Maynard@ssosma.org), Resource Coordinator
- ☑ Robert Putnam (mailto:Robert.Putnam@ssosma.org)
- ☑ Meto Raha (mailto:MRaha@doe.mass.edu), Math Specialist
- ☑ Heather Richard (mailto:Heather.Richard@ssosma.org), Assistance Lead
- ☑ Ken Locke (mailto:Kenneth.Locke@ssosma.org), Assistance Lead
- ☑ Nicole Scola (mailto:NScola@doe.mass.edu), Science Specialist
- ☑ Dean Scranton (mailto:Dean.Scranton@ssosma.org), Assistance Lead
- ☑ Christine Shea (mailto:Christine.Shea@ssosma.org), Assistance Lead/Data Specialist
- ☑ Zach Smith (mailto:Zachary.Smith@ssosma.org), Assistance Lead/Data Specialist
- ☑ Ian Stith (mailto:ISTith@doe.mass.edu), Math Specialist
- ☑ Joan Tuttle (mailto:JTuttle@doe.mass.edu), Regional Co-Director
- ☑ David Valade (mailto:DValade@doe.mass.edu), English Language Learners
- ☑ Bob Vaughan (mailto:Bob.Vaughan@ssosma.org), Assistance Lead
- ☑ Joe Wyman (mailto:Joseph.Wyman@ssosma.org), Assistance Lead/Data Specialist

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Welcome to the Office of the Statewide System of Support..

Since 2009, Massachusetts has defined its approach to district engagement based on the premise that district accountability and DESE assistance must be closely linked to produce continuous and sustainable improvement. SSoS staff engage with districts that have schools identified as requiring assistance and intervention (Targeted/Focused Schools and Broad/Comprehensive Support Schools) on our state accountability system.

Massachusetts' Statewide System of Support staff provide comprehensive assistance to districts and schools that is differentiated by need, provides structured opportunities for teachers, administrators and district leaders to engage in activities including coaching, action research, facilitated work teams, professional communities of practice, and resource networking. ESE's turnaround practices (/turnaround/howitworks/) and District Standards and Indicators provide processes and tools to support evidence-based practices across the Commonwealth.


Statewide System of Support (SSoS) (/turnaround/)

Statewide System of Support Structure

How it Works (/turnaround/howitworks/)

Broad/Comprehensive and Focused/Targeted Schools and Districts (/turnaround/level4/)

Grant Funding (/turnaround/redesign/)

 Commissioner's Districts (commissioners-districts.docx)

SSoS vision: All students in the Commonwealth, especially the historically marginalized, learn in dynamic and responsive educational environments, graduate with the tools and agency and contribute as responsible members of their communities.

Since spring of 2017 SSoS has been redesigning its approach to refocus resources on the schools and districts with the greatest need, while also adjusting to reduced staffing and resources. The redesign has been grounded in the principles of equity, consistency, efficiency, quality, and building on strengths. As a result of this redesign, the former Office of District & School Turnaround (ODST) and six District and School Assistance Centers (DSACs) were combined into two regional assistance teams - Coastal and West/Central. These regions are supported by three offices that provide centralized supports for policy development, grants, professional development, networks and convenings, development of tools and resources, research and knowledge base, and identification of high-quality partners. School year 2018-19 was the first year SSoS operated with this new targeted assistance structure.

The Statewide System of Support includes the following offices:

Two regional assistance teams (West/Central and Coastal) that provide direct support to schools and districts across the Commonwealth that have been identified by the accountability system as requiring assistance or intervention. These teams facilitate the development and implementation of school turnaround plans in the identified schools and help districts leverage resources (from the regional assistance teams, SSoS centralized supports, DESE and partners) to improve student achievement.

Regional System of Support (RSS) office provides centralized supports for the two regions such as staff training and professional development, project work plans, staff evaluation process, contracts, and grant processing and monitoring. **Office of Effective Practices for Turnaround (OEPT)** conducts research to identify best practices in turnaround and ensure these practices impact policy and are embedded into practice. This office also ensures implementation of the statutory requirements related underperforming schools, the allocation of federal school improvement grant resources to support turnaround schools, and monitoring of progress in schools implementing turnaround plans.**Systems for Student Success (SfSS)** office designs and delivers turnaround resources, expertise, and assistance that enhance integrated, tiered, and systemic approaches to supporting the social emotional and academic needs of all students, and especially students living in poverty. Specific offerings include high quality external partners, multi-year academies, grants, and technical assistance.

These offices closely coordinate with the Office of Strategic Transformation (OST) (/level5/), which is responsible for the implementation of state receivership and alternative governance models, to ensure resources and supports to all targeted schools and districts are aligned, and to share promising practices.



Search

Search

Statewide System of Support (SSoS) (/turnaround/)

How it Works (/turnaround/howitworks/)

Broad/Comprehensive and Focused/Targeted Schools and Districts (/turnaround/level4/)

Grant Funding (/turnaround/redesign/)

Grant Funding

DESE provides financial resources to Broad/Comprehensive and Focused/Targeted Schools through a series of competitive and allocation grants.

School Redesign Grants


School Redesign Grants (SRG) are federally-funded, competitive grants that help districts improve their lowest performing schools. Grants are awarded to help districts and schools meet students' needs through funding improvement strategies such as increased time for student learning, professional development for educators, and academic enrichment programs for students. Each year eligibility is determined by the lowest performing schools in the Commonwealth based on our state's accountability system. To apply, the school needs to demonstrate certain elements are in place to ensure the flexibilities needed for rapid school improvement are accessible. Then the school and district coordinate to submit an application in the spring. In addition to the written application, the school and district leaders will also participate in an interview process to determine which schools will be awarded funds. Those schools that are awarded funds are notified before the end of the school year for funds available in the upcoming school year. Schools will then have three years to spend the SRG funds.

An integral component of SRG involves schools developing, implementing, and revising a turnaround plan (/turnaround/level4/guidance.html), which guides the approach to rapid school improvement. The turnaround plan is to be updated each year the school receives the grant. The turnaround plan is couched in the research-based best practices (/turnaround/howitworks/reports.html) for effective school turnaround efforts. Our state has learned a lot since SRG was first implemented in 2010. A majority of the schools that have been identified as underperforming have been exited from underperforming status. Many of the lessons learned from what successful school turnaround looks like can be found here (/turnaround/howitworks/reports.html).

Eligible schools applying for SRG should reference the following resources:

School Redesign Grant Planning Resources

The turnaround sustainability toolkit contains tools, frameworks and resources that will help district and school leaders effectively plan for sustainability of turnaround efforts after School Redesign Grant (SRG) and other short-term funding sources run out.

 Turnaround Sustainability Toolkit (/turnaround/redesign/sustainability-toolkit.zip)

Turnaround Assistance Grant

The Turnaround Assistance Grant (TAG) represents the merger of two previous grant programs, the DSAC and District MOU grants, that reflects the new era of accountability and assistance ushered in by the Every Student Succeeds Act (ESSA) and the new Massachusetts Accountability System. The TAG combines funds for state targeted assistance as well as federal school improvement funding. It will distribute funds for over 100 schools identified as "Requiring Assistance or Intervention" in the Massachusetts Accountability System.

Districts with one or more schools identified under the Massachusetts District and School Accountability System for focused/targeted and broad/comprehensive support are eligible for this grant opportunity. There are four TAG categories within which schools are eligible: Planning Grants, Implementation Grants, School Redesign Planning Grants, and Subgroup Performance Only Grants. Across all four grant categories, the grant-funded activities that districts and schools engage in are expected to fall into two broad categories:

- 1. Planning and Pre-Implementation activities
- 2. Activities supporting the implementation of turnaround plans (or subgroup improvement plans).

The TAG focuses on the development and implementation of school turnaround plans, in alignment with ESSA mandates and Massachusetts' best practices. Funding allocations are tiered, based upon school percentiles and whether or not schools have an existing turnaround plan. Schools without a turnaround plan will receive funding and support to develop a high-quality turnaround plan. Schools with an existing turnaround plan will receive funding and support for plan implementation.

Statewide System of Support Regional Assistance Directors can discuss TAG options and assist efforts toward the development of grant proposals if needed. For more information on the TAG, including everything needed to apply for a TAG, please go here (/grants/2019/222-325/).

THE COMMON CORE STANDARDS ARE ALIVE AND WELL IN MASSACHUSETTS

ONLY THE K-5 ELA STANDARDS ARE PRESENTED IN THE FOLLOWING SECTION.

THERE IS NO NEED TO VENTURE INTO THE REALM OF MIDDLE SCHOOL. MY K-5 MATH STANDARD .pdf NEEDS WORK. SEVERAL DOCUMENTS/PUBLICATIONS DATING BACK TO 2013 ARE POSTED ON THE WEBSITE LISTED AT THE END OF THIS PAGE.

IN 2012 DESE WAS TELLING TEACHERS AND PARENTS TO SHUT UP AND DO WHAT WE WANT YOU TO DO (FOR THE FIRST TIME).

THAT WAS FIVE YEARS BEFORE THIS STATE VOTED OVERWHELMINGLY THAT DESE WAS MOVING IN A DIRECTION THE CITIZENS OF THIS COMMONWEALTH HAD NO INTEREST IN CONTINUING TO EXPLORE (QUESTION 2, HIGH STAKES TESTING)

NOW THE GOVERNOR IS ASKING/TELLING YOU WHAT TO DO. DO NOT FALL FOR IT.

I HAVE LOST A LOT OF HOURS MONITORING THIS REFORM EFFORT, STARTING WHEN I REALIZED INFORMATION WAS BEING REMOVED FROM HISTORY. THINGS STARTED DISSAPPEARING FROM THE INTERNET. TRUST ME, I WOULD MUCH RATHER BE ENJOYING MY LIFE THAN HAVING TO DO THIS ANYMORE.

PLEASE GET RID OF THE PUNITIVE ASPECT OF DESE ALTOGETHER. IT IS WRONG AND IT HAS GONE ON FAR TOO LONG AT FAR TO GREAT A COST.

REQUIRING AND ENFORCING PARTICIPATION IN THESE INITIATIVES UNDER THREAT OF FUNDING LOSS IS UTTERLY DESPICABLE AND REPULSIVE.

THERE ARE DIGITAL APPENDICES FOR THIS BOOKLET.
THEY WILL BE ATTACHED TO THE FINAL ONLINE .pdf

CONTENTS AS FOLLOWS:

appendix 1: Massachusetts Law documents

MA Law: An Act Relative to the Achievement Gap – 2010
DESE: two page description of An Act Relative to the Achievement Gap – 2011
DESE: Proposed changes to 603 CMR 2.00 (first draft) – 2012
DESE: Summary of changes to 603 CMR 2.00 - 2012
DESE: Proposed changes to 603 CMR 2.00 (final draft) – 2012
DESE: Proposed changes to 603 CMR 2.00 (first draft) – 2018
DESE: Board Meeting Minutes from June 26, 2018
DESE: Summary of changes to 603 CMR 2.00 - 2018
DESE: Proposed changes to 603 CMR 2.00 (final draft) – 2018
DESE: Published final version of 603 CMR 2.00 - 2018
MA LAW: Published final version of 603 CMR 2.00 - 2018
MA LAW: General Law – Part 1, Title XII, Chapter 69, Section 1J - 2019

appendix 2: Other Similar Recently Proposed Legislation

MA LAW: S2442 An Act Relative to Innovation Partnership Zones - 2018
MA LAW: S279 An Act Relative to Innovation Partnership Zones - 2018

MA LAW: H3632 An Act to Enable the Establishment of Innovation and Partnership Zones – 2019

VIEW THIS BOOKLET AND MORE AT WWW.NOCOMMONCORE.NET

HOW TO READ EACH STANDARD ANALYSIS:

pages 27 – 43

Department of Elementary and Secondary Education's (DESE)
2017 list of “changes” made to the 2010 Massachusetts Standards
which were the 2010 Common Core State Standards (CCSS)

The DESE charts are stacked two-to-a-page and the red “NOTE” explaining how to read them is located at the top of page 28

pages 44 – 49

Scott Andrade's cut and paste poster of “changes” between the 2010 CCSS standards and the current DESE 2017 Curriculum Frameworks

These charts are best viewed after selecting “fit” on 24x36 paper.
If printed with the text parallel to the 24 inch length,
you will be able to clearly read the text of the standards.

11x17 copies are best suited for reference.

Sections of the DESE 2017 Curriculum Frameworks have been cut up and re-arranged so as to correspond to the proper section of its Common Core counterpart.
Highlighter on a page indicates a deviation from the Common Core Standards.

Each page layout reads as follows:

Grade (a) MA 2017 - COMMON CORE - Grade (b) MA 2017
CC Grade (a) – CC Grade (b)

2017 Curriculum Framework for English Language Arts and Literacy
Grade-by-Grade Explanations of Changes to 2010 Standards

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English Language Arts and Literacy in the Content Areas, Kindergarten

Note: The tables in this document show only standards that have been changed or moved. Very minor edits, such as corrected inconsistencies in usage, are omitted. If a specific change was made to multiple standards at the same grade level, only one instance of the change is listed for that grade. Please refer to the Framework for complete details.

Grade	2010 Standard	2017 Standard	Rationale for Change
K	Reading Literature Standard 4 Ask and answer questions about unknown words in a text.	Reading Literature Standard 4 Ask and answer questions about unknown words in a text. (See kindergarten Language standards 4–6 on applying knowledge of vocabulary to reading.)	Connections among strands were added to standards throughout the Framework, especially between Language and other strands, to support integration and the use of Language skills and understandings in authentic contexts.
K	Reading Literature Standard 5 Recognize common types of texts (e.g., storybooks, poems).	Reading Literature Standard 5 Recognize common types of texts and characteristics of their structure (e.g., story elements in books; rhyme, rhythm, and repetition in poems).	Edits incorporate expectations from 2010 Reading Literature standard MA.8.A, which was deleted. The focus on structure is consistent with the relevant anchor standard.
K	Reading Literature Standard 6 With prompting and support, name the author and illustrator of a story and define the role of each in telling the story.	Reading Literature Standard 6 With prompting and support, explain that reading the cover or title page is how to find out who created a book; name the author and illustrator of a book and define the role of each in telling the story.	The edit is for emphasis on generalized conceptual understanding and for consistency with kindergarten Reading Informational Text standards 5 and 6.
K	Reading Literature Standard 8 (Not applicable to literature)	Reading Literature Standard 8 (Not applicable to literature)	The edit is to clarify the note’s intended meaning: not that literature never presents an argument, but that this standard sets no expectations related to reading literature.
K	Reading Literature Standard MA.8.A Identify and respond to characteristics of traditional poetry for children: rhyme; regular beats; and repetition of sounds, words, and phrases.	[Standard deleted]	All 2010 Reading Literature MA.8.A standards were deleted and their contents adapted for integration into other standards for coherence and to ensure flexibility regarding the specific texts students read.
K	Reading Foundational Skills Standard 4 Read emergent-reader texts with purpose and understanding.	Reading Foundational Skills Standard 4 Read early-emergent-reader texts with purpose and understanding.	The edit is for precision and developmental appropriateness.
K	Writing Standard 2 Use a combination of drawing, dictating, and writing to compose informative/explanatory texts in which they name what they are writing about and supply some information about the topic.	Writing Standard 2 Use a combination of drawing, dictating, and writing to compose informative/explanatory texts that name what they are writing about and supply some information about a topic.	Edits are for brevity and clarity.

Grade	2010 Standard	2017 Standard	Rationale for Change
K	Writing Standard 3 Use a combination of drawing, dictating, and writing to narrate a single event or several loosely linked events, tell about the events in the order in which they occurred, and provide a reaction to what happened.	Writing Standard 3 Use a combination of drawing, dictating, and writing to narrate a single event or experience, or several loosely linked events or experiences; sequence the narrative appropriately and provide a reaction to what it describes. a. For poems, use rhyming words to create structure. (See kindergarten Reading Foundational Skills standard 2a.)	Edits incorporate expectations from 2010 Writing standard MA.3.A, which was deleted. Wording on experiences and sequencing was edited to make the standard applicable to various types of poetry as well as to prose. Connections among strands were added to standards throughout the Framework to support integration.
K	Writing Standard MA.3.A With prompting and support, write or dictate poems with rhyme and repetition.	[Standard deleted]	All 2010 Writing MA.3.A standards were deleted and their contents adapted for integration into other Writing standards for focus and coherence.
K	Writing Standard 4 (Begins in grade 3)	Writing Standard 4 (Begins in grade 1)	The standard is appropriate for grade 1 and now begins there. (See the grade 1 table below.)
K	Writing Standard 5 With guidance and support from adults, respond to questions and suggestions from peers and add details to strengthen writing as needed.	Writing Standard 5 With guidance and support from adults, respond to questions and suggestions from peers and add details to strengthen writing as needed. a. (Begins in grade 3) b. Demonstrate the ability to use vocabulary appropriate for kindergarten (as described in kindergarten Language standards 4–6).	Using appropriate vocabulary in writing was already an expectation of the Language standards; including it here tightens connections between the strands.
K	Writing Standard 10 (Begins in grade 3)	Writing Standard 10 Write or dictate writing routinely for a range of tasks, purposes, and audiences.	The standard is appropriate for kindergarten and consistent with expectations set by other kindergarten Writing standards.

Grade	2010 Standard	2017 Standard	Rationale for Change
K	Language Standard 1 Demonstrate command of the conventions of standard English grammar and usage when writing or speaking. a. Print many upper- and lowercase letters. b. Use frequently occurring nouns and verbs. c. Form regular plural nouns orally by adding /s/ or /es/ (e.g., <i>dog, dogs; wish, wishes</i>). d. Understand and use question words (interrogatives) (e.g., <i>who, what, where, when, why, how</i>). e. Use the most frequently occurring prepositions (e.g., <i>to, from, in, out, on, off, for, of, by, with</i>). f. Produce and expand complete sentences in shared language activities.	Language Standard 1 Demonstrate command of the conventions of standard English grammar and usage when writing or speaking; retain and further develop language skills learned previously. <i>Sentence Structure and Meaning</i> a. Demonstrate the ability to produce and expand complete sentences using frequently occurring nouns, pronouns, adjectives, verbs, question words, and prepositions; name and use in context numbers 0–100 (see kindergarten mathematics standards for Counting and Cardinality). b. Form questions that seek additional information, rather than a simple yes/no answer. <i>Word Usage</i> c. Form regular plural nouns orally by adding /s/ or /es/.	Language standard 1 was edited throughout the Framework to smooth progressions from grade to grade, to enhance clarity and coherence, and to emphasize that mastery of English conventions is a means to the end of authentic and effective communication. The subheadings <i>Sentence Structure and Meaning</i> and <i>Word Usage</i> appear across grade levels. Expectations for printing letters now appear in Language standard 2, which focuses on written conventions. References to standards in other subject areas were added throughout the Framework where appropriate to support cross-curricular coherence and integration.
K	Language Standard 2 Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing. a. Capitalize the first word in a sentence and the pronoun <i>I</i> . b. Recognize and name end punctuation. c. Write a letter or letters for most consonant and short-vowel sounds (phonemes). d. Spell simple words phonetically, drawing on knowledge of sound-letter relationships.	Language Standard 2 Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing. a. Print upper- and lowercase letters. b. Capitalize the first word in a sentence and the pronoun <i>I</i> . c. Recognize and name end punctuation. d. Write a letter or letters for most consonant and short-vowel sounds (phonemes). e. Spell simple words phonetically, drawing on knowledge of sound-letter relationships. f. Write numbers 0–20 (see kindergarten mathematics standards for Counting and Cardinality).	Expectations for printing were relocated from Language standard 1, which concerns aspects of grammar and usage applicable to both writing and speaking, to Language standard 2, which focuses on writing. References to standards in other subject areas were added throughout the Framework where appropriate to support cross-curricular coherence and integration.
K	Language Standard 4b Use the most frequently occurring inflections and affixes (e.g., <i>-ed, -s, re-, un-, pre-, -ful, -less</i>) as a clue to the meaning of an unknown word.	Language Standard 4b [Deleted at K level]	Inflections and affixes also appear in grade 1 and are more appropriately introduced then.
K	Language Standard 6 Use words and phrases acquired through conversations, reading and being read to, and responding to texts.	Language Standard 6 Use words and phrases acquired through conversations, activities in the kindergarten curriculum , reading and being read to, and responding to texts.	The edit is to support cross-curricular coherence and integration, to encourage the study of vocabulary in context rather than in isolation, and to reinforce links between vocabulary and content knowledge.

English Language Arts and Literacy in the Content Areas, Grade 1

Note: The tables in this document show only standards that have been changed or moved. Very minor edits, such as corrected inconsistencies in usage, are omitted. If a specific change was made to multiple standards at the same grade level, only one instance of the change is listed for that grade. Please refer to the Framework for complete details.

Grade	2010 Standard	2017 Standard	Rationale for Change
1	Reading Literature Standard 4 Identify words and phrases in stories or poems that suggest feelings or appeal to the senses.	Reading Literature Standard 4 Identify words and phrases in stories or poems that suggest feelings or appeal to the senses. (See grade 1 Language standards 4–6 on applying knowledge of vocabulary to reading.)	Connections among strands were added to standards throughout the Framework, especially between Language and other strands, to support integration and the use of Language skills and understandings in authentic contexts.
1	Reading Literature Standard 5 Explain major differences between books that tell stories and books that give information, drawing on a wide reading of a range of text types.	Reading Literature Standard 5 Identify characteristics of common types of stories, including folktales and fairy tales.	The edit incorporates expectations from 2010 Reading Literature standard MA.8.A, which was deleted. Expectations for range of reading appear in Reading standard 10, and expectations for informational text appear in the Reading Informational Text strand.
1	Reading Literature Standard 8 (Not applicable to literature)	Reading Literature Standard 8 (Not applicable. For expectations regarding central messages or lessons in stories, see RL.2.)	The edit is to clarify the note’s intended meaning: not that literature never presents an argument, but that this standard sets no expectations related to reading literature because literary “arguments” are addressed by RL.2.
1	Reading Literature Standard MA.8.A Identify characteristics commonly shared by folktales and fairy tales.	[Standard deleted]	All 2010 Reading Literature MA.8.A standards were deleted and their contents adapted for integration into other standards for coherence and to ensure flexibility regarding the specific texts students read.
1	Reading Literature Standard 10 With prompting and support, read prose and poetry of appropriate complexity for grade 1.	Reading Literature Standard 10 With prompting and support, read and comprehend literary texts representing a variety of genres, cultures, and perspectives and exhibiting complexity appropriate for at least grade 1. (See pages __–__ for more on qualitative and quantitative dimensions of text complexity.)	This standard was edited throughout the Framework to clarify and broaden expectations for the range of texts students encounter. The parenthetical reference is to new guidance material.
1	Reading Informational Text Standard 10 With prompting and support, read informational texts appropriately complex for grade 1.	Reading Informational Text Standard 10 With prompting and support, read and comprehend informational texts exhibiting complexity appropriate for at least grade 1. (See pages __–__ for more on qualitative and quantitative dimensions of text complexity.)	This standard was edited throughout the Framework to clarify expectations for the range of texts students encounter. The parenthetical reference is to new guidance material.

Grade	2010 Standard	2017 Standard	Rationale for Change
1	Writing Standard 3 Write narratives in which they recount two or more appropriately sequenced events, include some details regarding what happened, use temporal words to signal event order, and provide some sense of closure.	Writing Standard 3 Write narratives in prose or poem form that recount two or more appropriately sequenced events or experiences , include some details about what happened or was experienced , use temporal words to signal event order where appropriate , and provide some sense of closure. a. For poems, use rhyming words and words that repeat long or short vowel sounds to create structure (see grade 1 Reading Foundational Skills standard 2a).	Edits incorporate expectations from 2010 Writing standard MA.3.A, which was deleted. Wording on experiences and sequencing was edited to make the standard applicable to various types of poetry as well as to prose. Connections among strands were added to standards throughout the Framework to support integration.
1	Writing Standard MA.3.A Write poems with rhyme and repetition.	[Standard deleted]	All 2010 Writing MA.3.A standards were deleted and their contents adapted for integration into other Writing standards for focus and coherence.
1	Writing Standard 4 (Begins in grade 3)	Writing Standard 4 Produce writing in which the development and organization are appropriate to task, purpose, and audience. (Grade-specific expectations for writing types are defined in standards 1–3 above.)	The standard is appropriate for grade 1 and consistent with expectations set by other grade 1 Writing standards.
1	Writing Standard 5 With guidance and support from adults, focus on a topic, respond to questions and suggestions from peers, and add details to strengthen writing as needed.	Writing Standard 5 With guidance and support from adults, focus on a topic, respond to questions and suggestions from peers, and add details to strengthen writing as needed. a. (Begins in grade 3) b. Demonstrate the ability to choose and use appropriate vocabulary (as described in Language standards 4–6 up to and including grade 1).	Using appropriate vocabulary in writing was already an expectation of the Language standards; including it here tightens connections between the strands.
1	Writing Standard 10 (Begins in grade 3)	Writing Standard 10 Write routinely for a range of tasks, purposes, and audiences.	The standard is appropriate for grade 1 and consistent with expectations set by other grade 1 Writing standards.
1	Speaking and Listening Standard 4 Describe people, places, things, and events with relevant details, expressing ideas and feelings clearly.	Speaking and Listening Standard 4 Describe people, places, things, and events with relevant details, expressing ideas and feelings clearly and using appropriate vocabulary. (See grade 1 Language standards 4–6 for specific expectations regarding vocabulary.)	Using appropriate vocabulary when speaking was already an expectation of the Language standards; including it here tightens connections between the strands.

Grade	2010 Standard	2017 Standard	Rationale for Change
1	Language Standard 1 Demonstrate command of the conventions of standard English grammar and usage when writing or speaking. a. Print all upper- and lowercase letters. b. Use common, proper, and possessive nouns. c. Use singular and plural nouns with matching verbs in basic sentences (e.g., <i>He hops; We hop</i>). d. Use personal, possessive, and indefinite pronouns (e.g., <i>I, me, my; they, them, their; anyone, everything</i>). e. Use verbs to convey a sense of past, present, and future (e.g., <i>Yesterday I walked home; Today I walk home; Tomorrow I will walk home</i>). f. Use frequently occurring adjectives. g. Use frequently occurring conjunctions (e.g., <i>and, but, or, so, because</i>). h. Use determiners (e.g., articles, demonstratives). i. Use frequently occurring prepositions (e.g., <i>during, beyond, toward</i>). j. Produce and expand complete simple and compound declarative, interrogative, imperative, and exclamatory sentences in response to prompts.	Language Standard 1 Demonstrate command of the conventions of standard English grammar and usage when writing or speaking; retain and further develop language skills learned in previous grades. Sentence Structure and Meaning a. Produce and expand simple and compound sentences. b. Demonstrate understanding that a question is a type of sentence. c. Use singular and plural nouns with matching verbs in sentences. d. Use verbs in sentences to convey a sense of past, present, and future. Word Usage e. Use common, proper, and possessive nouns. f. Use personal, possessive, and indefinite pronouns. g. Use frequently occurring prepositions, adjectives, adverbs, conjunctions, and articles.	Language standard 1 was edited throughout the Framework to smooth progressions from grade to grade, to enhance clarity and coherence, and to emphasize that mastery of English conventions is a means to the end of authentic and effective communication. The subheadings <i>Sentence Structure and Meaning</i> and <i>Word Usage</i> appear across grade levels. Expectations for the types of sentences students produce were adjusted in grades 1–3 to create a more logical progression from grade to grade. Expectations for printing now appear in Language standard 2, which focuses on written conventions.

Grade	2010 Standard	2017 Standard	Rationale for Change
1	Language Standard 2 Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing. <ol style="list-style-type: none"> Capitalize dates and names of people. Use end punctuation for sentences. Use commas in dates and to separate single words in a series. Use conventional spelling for words with common spelling patterns and for frequently occurring irregular words. Spell untaught words phonetically, drawing on phonemic awareness and spelling conventions. 	Language Standard 2 Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing. <ol style="list-style-type: none"> Print legibly all upper- and lowercase letters. Use end punctuation for sentences. Capitalize the names of months and people. Use commas in dates and to separate individual words in a series. Use conventional spelling for words with common spelling patterns and for frequently occurring irregular words. Spell untaught words phonetically, drawing on phonemic awareness and spelling conventions. Write numerals up to 120 (see grade 1 mathematics standards for Numbers and Operations in Base 10); understand that numbers are also written as words; write words for numbers from one to ten. 	Expectations for printing were relocated from Language standard 1, which concerns aspects of grammar and usage applicable to both writing and speaking, to Language standard 2, which focuses on writing. References to standards in other subject areas were added throughout the Framework where appropriate to support cross-curricular coherence and integration. Other minor edits are for clarity.
1	Language Standard 6 Use words and phrases acquired through conversations, reading and being read to, and responding to texts, including using frequently occurring conjunctions to signal simple relationships (e.g., <i>because</i>).	Language Standard 6 Use words and phrases acquired through conversations, activities in the grade 1 curriculum, reading and being read to, and responding to texts, including using frequently occurring conjunctions (e.g., <i>because</i>) to signal simple relationships. (See grade 1 Reading Literature standard 4 and Reading Informational Text standard 4 on applying knowledge of vocabulary to reading; see grade 1 Writing standard 5 and Speaking and Listening standard 4 on strengthening writing and presentations by applying knowledge of vocabulary.)	The reference to curriculum is to support cross-curricular coherence and integration and to reinforce links between vocabulary and content knowledge. Connections among strands were added to standards throughout the Framework, especially between Language and other strands, to support integration and the use of Language skills and understandings in authentic contexts.

English Language Arts and Literacy in the Content Areas, Grade 2

Note: The tables in this document show only standards that have been changed or moved. Very minor edits, such as corrected inconsistencies in usage, are omitted. If a specific change was made to multiple standards at the same grade level, only one instance of the change is listed for that grade. Please refer to the Framework for complete details.

Grade	2010 Standard	2017 Standard	Rationale for Change
2	Reading Literature Standard 2 Recount stories, including fables and folktales from diverse cultures, and determine their central message, lesson, or moral.	Reading Literature Standard 2 <i>Retell</i> stories, including fables and folktales from diverse cultures, and determine their central message, lesson, or moral.	The edit is for consistency with the standard’s wording in grades PK–1.
2	Reading Literature Standard 4 Describe how words and phrases (e.g., regular beats, alliteration, rhymes, repeated lines) supply rhythm and meaning in a story, poem, or song.	Reading Literature Standard 4 Describe how words and phrases (e.g., regular beats, alliteration, rhymes, repeated lines) supply rhythm and meaning in a story, poem, or song. (See grade 2 Language standards 4–6 on applying knowledge of vocabulary to reading.)	Connections among strands were added to standards throughout the Framework, especially between Language and other strands, to support integration and the use of Language skills and understandings in authentic contexts.
2	Reading Literature Standard 6 Acknowledge differences in the points of view of characters, including by speaking in a different voice for each character when reading dialogue aloud.	Reading Literature Standard 6 <i>Explain what dialogue is and how it can reveal characters’ thoughts and perspectives.</i>	The edit incorporates expectations from 2010 Reading Literature standard MA.8.A, which was deleted.
2	Reading Literature Standard 8 (Not applicable to literature)	Reading Literature Standard 8 <i>(Not applicable. For expectations regarding central messages, lessons, or morals in stories, see RL.2.)</i>	The edit is to clarify the note’s intended meaning: not that literature never presents an argument, but that this standard sets no expectations related to reading literature because literary “arguments” are addressed by RL.2.
2	Reading Literature Standard MA.8.A Identify dialogue as words spoken by characters (usually enclosed in quotation marks) and explain what dialogue adds to a particular story or poem.	[Standard deleted]	All 2010 Reading Literature MA.8.A standards were deleted and their contents adapted for integration into other standards for coherence and to ensure flexibility regarding the specific texts students read.
2	Reading Literature Standard 10 By the end of the year, read and comprehend literature, including stories and poetry, in the grades 2–3 text complexity band proficiently, with scaffolding as needed at the high end of the range.	Reading Literature Standard 10 <i>Independently and proficiently read and comprehend literary texts representing a variety of genres, cultures, and perspectives and exhibiting complexity appropriate for at least grade 2. (See pages __–__ for more on qualitative and quantitative dimensions of text complexity.)</i>	This standard was edited throughout the Framework to clarify and broaden expectations for the range of texts students encounter. The parenthetical reference is to new guidance material.
2	Reading Informational Text Standard 3 Describe the connection between a series of historical events, scientific ideas or concepts, or steps in technical procedures in a text.	Reading Informational Text Standard 3 Describe the connection between a series of historical events, scientific ideas or concepts, mathematical ideas or concepts, or steps in technical procedures in a text.	References to mathematics were added where appropriate throughout the Framework to support new guidance on literacy in the mathematics Framework.

Grade	2010 Standard	2017 Standard	Rationale for Change
2	Reading Informational Text Standard 10 By the end of the year, read and comprehend informational texts, including history/social studies, science, and technical texts, in the grades 2–3 text complexity band proficiently, with scaffolding as needed at the high end of the range.	Reading Informational Text Standard 10 Independently and proficiently read and comprehend informational texts, including history/social studies, science, mathematical , and technical texts, exhibiting complexity appropriate for at least grade 2 . (See pages __ for more on qualitative and quantitative dimensions of text complexity.)	This standard was edited throughout the Framework to clarify and broaden expectations for the range of texts students encounter. References to mathematics were added where appropriate throughout the Framework to support new guidance on literacy in the mathematics Framework. The parenthetical reference is to new guidance material.
2	Writing Standard 3 Write narratives in which they recount a well-elaborated event or short sequence of events, include details to describe actions, thoughts, and feelings, use temporal words to signal event order, and provide a sense of closure.	Writing Standard 3 Write narratives in prose or poem form that recount a well-elaborated event or experience , or a set of events or experiences ; include details and dialogue to show actions, thoughts, and feelings; use temporal words to signal event order where appropriate ; and provide a sense of closure. a. For poems, use words and phrases that form patterns of sounds (e.g., regular beats, alliteration, end rhymes, repeated sounds in words or lines) to create structure. (See grade 2 Reading Literature standard 4.)	Edits incorporate expectations from 2010 Writing standard MA.3.A, which was deleted. Wording on experiences and sequencing was edited to make the standard applicable to various types of poetry as well as to prose. Connections among strands were added to standards throughout the Framework to support integration.
2	Writing Standard MA.3.A Write stories or poems with dialogue.	[Standard deleted]	All 2010 Writing MA.3.A standards were deleted and their contents adapted for integration into other Writing standards for focus and coherence.
2	Writing Standard 4 (Begins in grade 3)	Writing Standard 4 Produce writing in which the development and organization are appropriate to task, purpose, and audience. (Grade-specific expectations for writing types are defined in standards 1–3 above.)	The standard is appropriate for grade 2 and consistent with expectations set by other grade 2 Writing standards.
2	Writing Standard 5 With guidance and support from adults and peers, focus on a topic and strengthen writing as needed by revising and editing.	Writing Standard 5 With guidance and support from adults and peers, Focus on a topic and strengthen writing as needed by revising and editing. a. (Begins in grade 3) b. Demonstrate the ability to choose and use appropriate vocabulary (as described in Language standards 4–6 up to and including grade 2).	Using appropriate vocabulary in writing was already an expectation of the Language standards; including it here tightens connections between the strands.
2	Writing Standard 10 (Begins in grade 3)	Writing Standard 10 Write routinely for a range of tasks, purposes, and audiences.	The standard is appropriate for grade 2 and consistent with expectations set by other grade 2 Writing standards.

Grade	2010 Standard	2017 Standard	Rationale for Change
2	Speaking and Listening Standard 4 Tell a story or recount an experience with appropriate facts and relevant, descriptive details, speaking audibly in coherent sentences.	Speaking and Listening Standard 4 Tell a story, recount an experience, or explain how to solve a mathematical problem with appropriate facts and relevant, descriptive details, speaking audibly in coherent sentences and using appropriate vocabulary . (See grade 2 Language standards 4–6 for specific expectations regarding vocabulary.)	References to mathematics were added where appropriate throughout the Framework to support new guidance on literacy in the mathematics Framework. Using appropriate vocabulary when speaking was already an expectation of the Language standards; including it here tightens connections between the strands.
2	Speaking and Listening Standard 5 Create audio recordings of stories or poems; add drawings or other visual displays to stories or recounts of experiences when appropriate to clarify ideas, thoughts, and feelings.	Speaking and Listening Standard 5 Create audio recordings of stories or poems; add drawings or other visual displays to stories or descriptions of experiences when appropriate to clarify ideas, thoughts, and feelings.	The edit is for clarity.
2	Language Standard 1 Demonstrate command of the conventions of standard English grammar and usage when writing or speaking. a. Use collective nouns (e.g., <i>group</i>). b. Form and use frequently occurring irregular plural nouns (e.g., <i>feet, children, teeth, mice, fish</i>). c. Use reflexive pronouns (e.g., <i>myself, ourselves</i>). d. Form and use the past tense of frequently occurring irregular verbs (e.g., <i>sat, hid, told</i>). e. Use adjectives and adverbs, and choose between them depending on what is to be modified. f. Produce, expand, and rearrange complete simple and compound sentences (e.g., <i>The boy watched the movie; The little boy watched the movie; The action movie was watched by the little boy</i>). MA.1.g. Read, pronounce, write, and understand the meaning of common abbreviations for titles, locations, and time periods (e.g., Dr., Ms., Mrs., St., Rd., Ave., MA, U.S., months, days of the week, a.m., p.m.)	Language Standard 1 Demonstrate command of the conventions of standard English grammar and usage when writing or speaking; retain and further develop language skills learned in previous grades. <i>Sentence Structure and Meaning</i> a. Produce and expand complete simple and compound declarative, interrogative, imperative, and exclamatory sentences and choose among sentence types depending on the meaning to be conveyed. b. Use adjectives and adverbs in sentences and choose between them depending on what is to be modified. <i>Word Usage</i> c. Use collective nouns and frequently occurring irregular plural nouns. d. Use reflexive pronouns. e. Form and use the past tense of frequently occurring irregular verbs.	Language standard 1 was edited throughout the Framework to smooth progressions from grade to grade, to enhance clarity and coherence, and to emphasize that mastery of English conventions is a means to the end of authentic and effective communication. The subheadings <i>Sentence Structure and Meaning</i> and <i>Word Usage</i> appear across grade levels. Expectations for the types of sentences students produce were adjusted in grades 1–3 to create a more logical progression from grade to grade. Expectations for abbreviations were expanded and moved to Language standard 4, which focuses on vocabulary.

Grade	2010 Standard	2017 Standard	Rationale for Change
2	Language Standard 2 Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing. <ol style="list-style-type: none"> Capitalize holidays, product names, and geographic names. Use commas in greetings and closings of letters. Use an apostrophe to form contractions and frequently occurring possessives. Generalize learned spelling patterns when writing words (e.g., cage → badge; boy → boil). Consult reference materials, including beginning dictionaries, as needed to check and correct spellings. 	Language Standard 2 Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing. <ol style="list-style-type: none"> Print upper- and lowercase letters legibly and fluently. Capitalize holidays, product names, and geographic names. Use commas in greetings and closings of letters. Use an apostrophe to form contractions and frequently occurring possessives. Generalize learned spelling patterns when writing words (e.g., cage → badge; boy → boil). Consult reference materials, including beginning dictionaries, as needed to check and correct spellings. Demonstrate understanding that context determines whether the writer uses a numeral or a written number (e.g., numerals in 1 + 3 = 4, but written words in “When I was one, I was just begun, / When I was two, I was still quite new” from A. A. Milne’s poem “Now We Are Six”). 	The 2010 standards included expectations for handwriting at grades K, 1, and 4 only; the 2017 Framework bridges the gap by also addressing handwriting at grades 2 and 3. References to other subject areas were added throughout the Framework where appropriate to support cross-curricular coherence and integration.

Grade	2010 Standard	2017 Standard	Rationale for Change
2	Language Standard 4 Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on <i>grade 2 reading and content</i> , choosing flexibly from an array of strategies. <ol style="list-style-type: none"> Use sentence-level context as a clue to the meaning of a word or phrase. Determine the meaning of the new word formed when a known prefix is added to a known word (e.g., <i>happy/unhappy, tell/retell</i>). Use a known root word as a clue to the meaning of an unknown word with the same root (e.g., <i>addition, additional</i>). Use knowledge of the meaning of individual words to predict the meaning of compound words (e.g., <i>birdhouse, lighthouse, housefly; bookshelf, notebook, bookmark</i>). Use glossaries and beginning dictionaries, both print and digital, to determine or clarify the meaning of words and phrases. 	Language Standard 4 Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on <i>grade 2 reading and content</i> , choosing flexibly from an array of strategies. <ol style="list-style-type: none"> Use sentence-level context as a clue to the meaning of a word or phrase. Determine the meaning of the new word formed when a known prefix is added to a known word (e.g., <i>happy/unhappy, tell/retell</i>). Use a known root word as a clue to the meaning of an unknown word with the same root (e.g., <i>addition, additional</i>). Use knowledge of the meaning of individual words to predict the meaning of compound words (e.g., <i>birdhouse, lighthouse, housefly; bookshelf, notebook, bookmark</i>). Use glossaries and beginning dictionaries, both print and digital, to determine or clarify the meaning of words and phrases. Recognize and use appropriately abbreviations related to grade-level content or commonly used in everyday life (e.g., <i>a.m., p.m.</i>) Recognize and use appropriately symbols related to grade-level content or commonly used in everyday life (e.g., \$, ¢). 	Expectations for abbreviations were relocated from Language standard 1, which concerns grammar and usage, to Language standard 4, which focuses on vocabulary. Expectations for symbols were added to tighten connections to literacy skills in other disciplines (e.g., representing money in mathematics).
2	Language Standard 6 Use words and phrases acquired through conversations, reading and being read to, and responding to texts, including using adjectives and adverbs to describe (e.g., <i>When other kids are happy that makes me happy</i>).	Language Standard 6 Use words and phrases acquired through conversations, activities in the grade 2 curriculum , reading and being read to, and responding to texts, including using adjectives and adverbs to describe. (See grade 2 Reading Literature standard 4 and Reading Informational Text standard 4 on applying knowledge of vocabulary to reading; see grade 2 Writing standard 5 and Speaking and Listening standard 4 on strengthening writing and presentations by applying knowledge of vocabulary.)	The reference to curriculum is to support cross-curricular coherence and integration and to reinforce links between vocabulary and content knowledge. Connections among strands were added to standards throughout the Framework, especially between Language and other strands, to support integration and the use of Language skills and understandings in authentic contexts.

English Language Arts and Literacy in the Content Areas, Grade 3

Note: The tables in this document show only standards that have been changed or moved. Very minor edits, such as corrected inconsistencies in usage, are omitted. If a specific change was made to multiple standards at the same grade level, only one instance of the change is listed for that grade. Please refer to the Framework for complete details.

Grade	2010 Standard	2017 Standard	Rationale for Change
3	Reading Literature Standard 2 Recount stories, including fables, folktales, and myths from diverse cultures; determine the central message, lesson, or moral and explain how it is conveyed through key details in the text.	Reading Literature Standard 2 <i>Retell</i> stories, including fables, folktales, and myths from diverse cultures, determine the central message, lesson, or moral and explain how it is conveyed through key details in a text.	The edit is for consistency with the standard’s wording in other grades.
3	Reading Literature Standard 4 Determine the meaning of words and phrases as they are used in a text, distinguishing literal from nonliteral language.	Reading Literature Standard 4 Determine the meaning of words and phrases as they are used in a text, distinguishing literal from figurative language. (See grade 3 Language standards 4–6 on applying knowledge of vocabulary to reading.)	“Figurative” is for clarity. Connections among strands were added to standards throughout the Framework, especially between Language and other strands, to support integration and the use of Language skills and understandings in authentic contexts.
3	Reading Literature Standard 5 Refer to parts of stories, dramas, and poems when writing or speaking about a text, using terms such as <i>chapter</i> , <i>scene</i> , and <i>stanza</i> ; describe how each successive part builds on earlier sections.	Reading Literature Standard 5 Identify common structural elements of fiction (e.g., problem , solution); describe how each successive part of a text builds on earlier sections.	The edit incorporates expectations from 2010 Reading Literature standard MA.8.A, which was deleted. The focus on structure is consistent with the relevant anchor standard.
3	Reading Literature Standard 8 (Not applicable to literature)	Reading Literature Standard 8 (Not applicable. For expectations regarding central messages, lessons, or morals in stories, see RL.2.)	The edit is to clarify the note’s intended meaning: not that literature never presents an argument, but that this standard sets no expectations related to reading literature because literary “arguments” are addressed by RL.2.
3	Reading Literature Standard MA.8.A Identify elements of fiction (e.g., characters, setting, plot, problem, solution) and elements of poetry (e.g., rhyme, rhythm, figurative language, alliteration, onomatopoeia).	[Standard deleted]	All 2010 Reading Literature MA.8.A standards were deleted and their contents adapted for integration into other standards for coherence and to ensure flexibility regarding the specific texts students read.
3	Reading Literature Standard 10 By the end of the year, read and comprehend literature, including stories, dramas, and poetry, at the high end of the grades 2–3 text complexity band independently and proficiently.	Reading Literature Standard 10 Independently and proficiently read and comprehend literary texts representing a variety of genres, cultures, and perspectives and exhibiting complexity appropriate for at least grade 3. (See pages __–__ for more on qualitative and quantitative dimensions of text complexity.)	This standard was edited throughout the Framework to clarify and broaden expectations for the range of texts students encounter. The parenthetical reference is to new guidance material.

Grade	2010 Standard	2017 Standard	Rationale for Change
3	Reading Informational Text Standard 3 Describe the relationship between a series of historical events, scientific ideas or concepts, or steps in technical procedures in a text, using language that pertains to time, sequence, and cause/effect.	Reading Informational Text Standard 3 Describe the relationship between a series of historical events, scientific ideas or concepts, mathematical ideas or concepts , or steps in technical procedures in a text, using language that pertains to time, sequence, and cause/effect.	References to mathematics were added where appropriate throughout the Framework to support new guidance on literacy in the mathematics Framework.
3	Reading Informational Text Standard 7 Use information gained from illustrations (e.g., maps, photographs) and the words in a text to demonstrate understanding of the text (e.g., where, when, why, and how key events occur).	Reading Informational Text Standard 7 Use information gained from illustrations (e.g., maps, photographs) and the words, numbers, and symbols in a text to demonstrate understanding of the text (e.g., where, when, why, and how key events occur).	The edit is to support cross-curricular coherence and integration.
3	Reading Informational Text Standard 10 By the end of the year, read and comprehend informational texts, including history/social studies, science, and technical texts, at the high end of the grades 2–3 text complexity band independently and proficiently.	Reading Informational Text Standard 10 Independently and proficiently read and comprehend informational texts, including history/social studies, science, mathematical , and technical texts, exhibiting complexity appropriate for at least grade 3. (See pages __–__ for more on qualitative and quantitative dimensions of text complexity.)	This standard was edited throughout the Framework to clarify and broaden expectations for the range of texts students encounter. References to mathematics were added where appropriate throughout the Framework to support new guidance on literacy in the mathematics Framework. The parenthetical reference is to new guidance material.
3	Writing Standard 1 Write opinion pieces on topics or texts, supporting a point of view with reasons. a. Introduce the topic or text they are writing about, state an opinion, and create an organizational structure that lists reasons. b. Provide reasons that support the opinion. c. Use linking words and phrases (e.g., <i>because</i> , <i>therefore</i> , <i>since</i> , <i>for example</i>) to connect opinion and reasons. d. Provide a concluding statement or section.	Writing Standard 1 Write opinion pieces on topics or texts, supporting an opinion with reasons. a. Introduce the topic or text they are writing about, state an opinion, and create an organizational structure that lists reasons. b. Provide reasons that support the opinion. c. Use linking words and phrases (e.g., <i>because</i> , <i>therefore</i> , <i>since</i> , <i>for example</i>) to connect opinion and reasons. d. Provide a concluding statement or section.	The edit is for clarity and consistency with the standard’s wording in other grades.

Grade	2010 Standard	2017 Standard	Rationale for Change
3	Writing Standard 3 Write narratives to develop real or imagined experiences or events using effective technique, descriptive details, and clear event sequences. a. Establish a situation and introduce a narrator and/or characters; organize an event sequence that unfolds naturally. b. Use dialogue and descriptions of actions, thoughts, and feelings to develop experiences and events or show the response of characters to situations. c. Use temporal words and phrases to signal event order. d. Provide a sense of closure.	Writing Standard 3 Write narratives in prose or poem form to develop real or imagined experiences or events using effective literary techniques, descriptive details, and clear event sequences. a. Establish a situation and introduce a speaker , narrator, and/or characters; organize an appropriate narrative sequence . b. Use dialogue and descriptions of actions, thoughts, and feelings to develop experiences or events or show responses to situations. c. Use figurative language to suggest images. (See grade 3 Reading Literature standard 4.) d. Use temporal words and phrases to signal event order where appropriate . e. Provide a sense of closure. f. For poems, use words and phrases that form patterns of sound (e.g., rhyme, repetition of sounds within words or within lines) to create meaning or effect.	Edits incorporate expectations from 2010 Writing standard MA.3.A, which was deleted. Wording was edited to make the standard applicable to various types of poetry as well as to prose. “Real or imagined” in this context was removed throughout the Framework to avoid a false dichotomy: even fiction is grounded in the author’s reality. Connections among strands were added to standards throughout the Framework to support integration.
3	Writing Standard MA.3.A Write poems, descriptions, and stories in which figurative language and the sounds of words (e.g., alliteration, onomatopoeia, rhyme) are key elements.	[Standard deleted]	All 2010 Writing MA.3.A standards were deleted and their contents adapted for integration into other Writing standards for focus and coherence.
3	Writing Standard 4 With guidance and support from adults, produce writing in which the development and organization are appropriate to task and purpose. (Grade-specific expectations for writing types are defined in standards 1–3 above.)	Writing Standard 4 With guidance and support from adults Produce writing in which the development and organization are appropriate to task, purpose, and audience . (Grade-specific expectations for writing types are defined in standards 1–3 above.)	“With guidance and support from adults” was removed from standards in grades 3–8 for brevity and consistency. Consideration of audience is appropriate for grade 3.
3	Writing Standard 5 With guidance and support from peers and adults, develop and strengthen writing as needed by planning, revising, and editing. (Editing for conventions should demonstrate command of Language standards 1–3 up to and including grade 3 on pages 36–37.)	Writing Standard 5 With guidance and support from peers and adults Develop and strengthen writing as needed by planning, revising, and editing. a. Demonstrate command of standard English conventions (as described in Language standards 1–3 up to and including grade 3). b. Demonstrate the ability to choose and use appropriate vocabulary (as described in Language standards 4–6 up to and including grade 3).	“With guidance and support from peers and adults” was removed from standards in grades 3–8 for brevity and consistency. Using appropriate vocabulary in writing was already an expectation of the Language standards; including it here tightens connections between the strands.

Grade	2010 Standard	2017 Standard	Rationale for Change
3	Speaking and Listening Standard 1a Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion.	Speaking and Listening Standard 1a Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion. (See grade 3 Reading Literature standard 1 and Reading Informational Text standard 1 for specific expectations regarding the use of textual evidence).	Connections among strands were added to standards throughout the Framework to support integration.
3	Speaking and Listening Standard 4 Report on a topic or text, tell a story, or recount an experience with appropriate facts and relevant, descriptive details, speaking clearly at an understandable pace.	Speaking and Listening Standard 4 Report on a topic, text, or solution to a mathematical problem , tell a story, or recount an experience with appropriate facts and relevant, descriptive details, speaking clearly at an understandable pace and using appropriate vocabulary. (See grade 3 Language standards 4–6 for specific expectations regarding vocabulary.)	References to mathematics were added where appropriate throughout the Framework to support new guidance on literacy in the mathematics Framework. Using appropriate vocabulary when speaking was already an expectation of the Language standards; including it here tightens connections between the strands.

Grade	2010 Standard	2017 Standard	Rationale for Change
3	<p>Language Standard 1</p> <p>Demonstrate command of the conventions of standard English grammar and usage when writing or speaking.</p> <ul style="list-style-type: none">a. Explain the function of nouns, pronouns, verbs, adjectives, and adverbs in general and their functions in particular sentences.b. Form and use regular and irregular plural nouns.c. Use abstract nouns (e.g., <i>childhood</i>).d. Form and use regular and irregular verbs.e. Form and use the simple (e.g., <i>I walked</i>; <i>I walk</i>; <i>I will walk</i>) verb tenses.f. Ensure subject-verb and pronoun-antecedent agreement.g. Form and use comparative and superlative adjectives and adverbs, and choose between them depending on what is to be modified.h. Use coordinating and subordinating conjunctions.i. Produce simple, compound, and complex sentences.	<p>Language Standard 1</p> <p>Demonstrate command of the conventions of standard English grammar and usage when writing or speaking; retain and further develop language skills learned in previous grades. (See grade 3 Writing standard 5 and Speaking and Listening standard 6 on strengthening writing and presentations by applying knowledge of conventions.)</p> <p><i>Sentence Structure and Meaning</i></p> <ul style="list-style-type: none">a. Produce, expand, and rearrange complete simple, compound, and complex sentences.b. Ensure subject-verb and pronoun-antecedent agreement.c. Use verbs in the present, past, and future tenses and choose among them depending on the overall meaning of the sentence.d. Use coordinating and subordinating conjunctions and choose between them depending on the overall meaning of the sentence.e. Form and use comparative and superlative adjectives and adverbs and choose between them depending on what is to be modified and the overall meaning of the sentence. <p><i>Word Usage</i></p> <ul style="list-style-type: none">f. Use abstract nouns.g. Form and use regular and irregular plural nouns and the past tense of regular and irregular verbs.	<p>Language standard 1 was edited throughout the Framework to smooth progressions from grade to grade, to enhance clarity and coherence, and to emphasize that mastery of English conventions is a means to the end of authentic and effective communication. The subheadings <i>Sentence Structure and Meaning</i> and <i>Word Usage</i> appear across grade levels. Expectations for the types of sentences students produce were adjusted in grades 1–3 to create a more logical progression from grade to grade. Connections among strands were added to standards throughout the Framework, especially between Language and other strands, to support integration and the use of Language skills and understandings in authentic contexts.</p>

Grade	2010 Standard	2017 Standard	Rationale for Change
3	<p>Language Standard 2</p> <p>Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.</p> <ul style="list-style-type: none">a. Capitalize appropriate words in titles.b. Use commas in addresses.c. Use commas and quotation marks in dialogue.d. Form and use possessives.e. Use conventional spelling for high-frequency and other studied words and for adding suffixes to base words (e.g., <i>sitting</i>, <i>smiled</i>, <i>cries</i>, <i>happiness</i>).f. Use spelling patterns and generalizations (e.g., word families, position-based spellings, syllable patterns, ending rules, meaningful word parts) in writing words.g. Consult reference materials, including beginning dictionaries, as needed to check and correct spellings.	<p>Language Standard 2</p> <p>Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.</p> <ul style="list-style-type: none">a. Write legibly and fluently by hand, using either printing or cursive handwriting.b. Capitalize appropriate words in titles.c. Use commas in addresses.d. Use commas and quotation marks in dialogue.e. Form and use possessives.f. Use conventional spelling for high-frequency and other studied words and for adding suffixes to base words (e.g., <i>sitting</i>, <i>smiled</i>, <i>cries</i>, <i>happiness</i>).g. Demonstrate understanding that numerals used at the beginning of a sentence are written as words and capitalized (e.g., “Three pandas could be seen eating leaves high in the bamboo grove”).h. Use spelling patterns and generalizations (e.g., word families, position-based spellings, syllable patterns, ending rules, meaningful word parts) in writing words.i. Consult reference materials, including beginning dictionaries, as needed to check and correct spellings.	<p>The 2010 standards include expectations for handwriting at grades K, 1, and 4 only; the 2017 Framework bridges the gap by also addressing handwriting at grades 2 and 3. References to other subject areas were added throughout the Framework where appropriate to support cross-curricular coherence and integration.</p>

Grade	2010 Standard	2017 Standard	Rationale for Change
3	Language Standard 4 Determine or clarify the meaning of unknown and multiple-meaning word and phrases based on <i>grade 3 reading and content</i> , choosing flexibly from a range of strategies. a. Use sentence-level context as a clue to the meaning of a word or phrase. b. Determine the meaning of the new word formed when a known affix is added to a known word (e.g., <i>agreeable/disagreeable</i> , <i>comfortable/uncomfortable</i> , <i>care/careless</i> , <i>heat/preheat</i>). c. Use a known root word as a clue to the meaning of an unknown word with the same root (e.g., <i>company</i> , <i>companion</i>). d. Use glossaries or beginning dictionaries, both print and digital, to determine or clarify the precise meaning of key words and phrases.	Language Standard 4 Determine or clarify the meaning of unknown and multiple-meaning word and phrases based on <i>grade 3 reading and content</i> , choosing flexibly from a range of strategies. a. Use sentence-level context as a clue to the meaning of a word or phrase. b. Determine the meaning of the new word formed when a known affix is added to a known word (e.g., <i>agreeable/disagreeable</i> , <i>comfortable/uncomfortable</i> , <i>care/careless</i> , <i>heat/preheat</i>). c. Use a known root word as a clue to the meaning of an unknown word with the same root (e.g., <i>company</i> , <i>companion</i>). d. Use glossaries or beginning dictionaries, both print and digital, to determine or clarify the precise meaning of key words and phrases. e. Recognize and use appropriately abbreviations related to grade-level content or common in everyday life (e.g., <i>N</i> , <i>S</i> , <i>E</i> , <i>W</i> on a map). f. Recognize and use appropriately symbols related to grade-level content or common in everyday life (e.g., <i><</i> , <i>></i>)	Expectations for abbreviations and symbols were added to tighten connections to literacy skills in other disciplines (e.g., reading maps in social studies).
3	Language Standard 6 Acquire and use accurately grade-appropriate conversational, general academic, and domain-specific words and phrases, including those that signal spatial and temporal relationships (e.g., <i>After dinner that night we went looking for them</i>).	Language Standard 6 Acquire and use accurately grade-appropriate conversational, general academic, and domain-specific words and phrases, including those that signal spatial and temporal relationships. (See grade 3 Reading Literature standard 4 and Reading Informational Text standard 4 on applying knowledge of vocabulary to reading; see grade 3 Writing standard 5 and Speaking and Listening standard 4 on strengthening writing and presentations by applying knowledge of vocabulary.)	Connections among strands were added to standards throughout the Framework, especially between Language and other strands, to support integration and the use of Language skills and understandings in authentic contexts.

English Language Arts and Literacy in the Content Areas, Grade 4

Note: The tables in this document show only standards that have been changed or moved. Very minor edits, such as corrected inconsistencies in usage, are omitted. If a specific change was made to multiple standards at the same grade level, only one instance of the change is listed for that grade. Please refer to the Framework for complete details.

Grade	2010 Standard	2017 Standard	Rationale for Change
4	Reading Literature Standard 4 Determine the meaning of words and phrases as they are used in a text, including those that allude to significant characters found in mythology (e.g., <i>Herculean</i>).	Reading Literature Standard 4 Determine the meaning of words and phrases as they are used in a text, including those that allude to significant characters found in mythology (e.g., <i>Herculean</i>); explain how figurative language (e.g., simile, metaphor) enriches a text. (See grade 4 Language standards 4–6 on applying knowledge of vocabulary to reading.)	Edits incorporate expectations from 2010 Reading Literature standard MA.8.A, which was deleted. Connections among strands were added to standards throughout the Framework, especially between Language and other strands, to support integration and the use of Language skills and understandings in authentic contexts.
4	Reading Literature Standard 5 Explain major differences between poems, drama, and prose, and refer to the structural elements of poems (e.g., verse, rhythm, meter) and drama (e.g., casts of characters, settings, descriptions, dialogue, stage directions) when writing or speaking about a text.	Reading Literature Standard 5 Explain major differences among prose, poetry, and drama and refer to the structural elements of each (e.g., paragraphs and chapters for prose; stanza and verse for poetry; scene, stage directions, cast of characters for drama) when writing or speaking about a text.	Edits are to broaden the standard’s scope: structural elements of prose may be studied along with those of poetry and drama.
4	Reading Literature Standard 7 Make connections between the text of a story or drama and a visual or oral presentation of the text, identifying where each version reflects specific descriptions and directions in the text.	Reading Literature Standard 7 Make connections between a written story or drama and its visual or oral presentation of the text, identifying where the presentation reflects specific descriptions and directions in the written text.	Wording throughout the standards was adjusted to clarify that texts come in forms other than words on a page.
4	Reading Literature Standard 8 (Not applicable to literature)	Reading Literature Standard 8 (Not applicable. For expectations regarding themes in literary texts, see RL.2.)	The edit is to clarify the note’s intended meaning: not that literature never presents an argument, but that this standard sets no expectations related to reading literature because literary “arguments” are addressed by RL.2.
4	Reading Literature Standard MA.8.A Locate and analyze examples of similes and metaphors in stories, poems, folktales, and plays, and explain how these literary devices enrich the text.	[Standard deleted]	All 2010 Reading Literature MA.8.A standards were deleted and their contents adapted for integration into other standards for coherence and to ensure flexibility regarding the specific texts students read.

Grade	2010 Standard	2017 Standard	Rationale for Change
4	Reading Literature Standard 10 By the end of the year, read and comprehend literature, including stories, dramas, and poetry, in the grades 4–5 text complexity band proficiently, with scaffolding as needed at the high end of the range.	Reading Literature Standard 10 Independently and proficiently read and comprehend literary texts representing a variety of genres, cultures, and perspectives and exhibiting complexity appropriate for at least grade 4. (See pages __ for more on qualitative and quantitative dimensions of text complexity.)	This standard was edited throughout the Framework to clarify and broaden expectations for the range of texts students encounter. The parenthetical reference is to new guidance material.
4	Reading Informational Text Standard 3 Explain events, procedures, ideas, or concepts in a historical, scientific, or technical text, including what happened and why, based on specific information in the text.	Reading Informational Text Standard 3 Explain events, procedures, ideas, or concepts in a historical, scientific, mathematical , or technical text, including what happened and why, based on specific information in the text.	References to mathematics were added where appropriate throughout the Framework to support new guidance on literacy in the mathematics Framework.
4	Reading Informational Text Standard 10 By the end of year, read and comprehend informational texts, including history/social studies, science, and technical texts, in the grades 4–5 text complexity band proficiently, with scaffolding as needed at the high end of the range.	Reading Informational Text Standard 10 Independently and proficiently read and comprehend informational texts, including history/social studies, science, mathematical , and technical texts, exhibiting complexity appropriate for at least grade 4. (See pages __ for more on qualitative and quantitative dimensions of text complexity.)	This standard was edited throughout the Framework to clarify expectations for the range of texts students encounter. References to mathematics were added where appropriate throughout the Framework to support new guidance on literacy in the mathematics Framework. The parenthetical reference is to new guidance material.
4	Writing Standard 1a Introduce a topic or text clearly, state an opinion, and create an organizational structure in which related ideas are grouped to support the writer’s purpose.	Writing Standard 1a Introduce a topic or text clearly, state an opinion, and create an organizational structure in which related ideas are grouped in paragraphs and sections to support the writer’s purpose.	“Paragraphs and sections” appear in Writing standard 2 but not Writing standard 1 in the 2010 standards. The edit is for consistency.
4	Writing Standard 2a Introduce a topic clearly and group related information in paragraphs and sections; include formatting (e.g., headings), illustrations, and multimedia when useful to aiding comprehension.	Writing Standard 2a Introduce a topic clearly and group related information in paragraphs and sections; include text features (e.g., headings), illustrations, and multimedia when useful to aiding comprehension.	The edit is for precision and consistency with the Reading standards.

Grade	2010 Standard	2017 Standard	Rationale for Change
4	Writing Standard 3 Write narratives to develop real or imagined experiences or events using effective technique, descriptive details, and clear event sequences. a. Orient the reader by establishing a situation and introducing a narrator and/or characters; organize an event sequence that unfolds naturally. b. Use dialogue and description to develop experiences and events or show the responses of characters to situations. c. Use a variety of transitional words and phrases to manage the sequence of events. d. Use concrete words and phrases and sensory details to convey experiences and events precisely. e. Provide a conclusion that follows from the narrated experiences or events.	Writing Standard 3 Write narratives in prose or poem form to develop real-or-imagined experiences or events using effective literary techniques, descriptive details, and clear event sequences. a. Orient the reader by establishing a situation and introducing a speaker , narrator, and/or characters; organize an appropriate narrative sequence . b. Use dialogue and description to develop experiences or events or show the responses of characters to situations. c. Use a variety of transitional words and phrases to manage the sequence of events . d. Use concrete words and phrases, figurative language such as similes and metaphors , and sensory details to convey experiences or events precisely. e. Provide a sense of closure appropriate to the narrated experiences or events. f. For poems, use patterns of sound (e.g., rhyme, rhythm, alliteration, consonance) and visual patterns (e.g., line length, grouped lines as stanzas or verses) to create works that are distinctly different in form from prose narratives. (See grade 4 Reading Literature standard 5.)	Edits incorporate expectations from 2010 Writing standard MA.3.A, which was deleted. Wording was edited to make the standard applicable to various types of poetry as well as to prose. “Real or imagined” in this context was removed throughout the Framework to avoid a false dichotomy: even fiction is grounded in the author’s reality. Connections among strands were added to standards throughout the Framework to support integration.
4	Writing Standard MA.3.A Write stories, poems, and scripts that use similes and/or metaphors.	[Standard deleted]	All 2010 Writing MA.3.A standards were deleted and their contents adapted for integration into other Writing standards for focus and coherence.
4	Writing Standard 5 With guidance and support from peers and adults, develop and strengthen writing as needed by planning, revising, and editing. (Editing for conventions should demonstrate command of Language standards 1–3 up to and including grade 4 on page 39.)	Writing Standard 5 With guidance and support from peers and adults Develop and strengthen writing as needed by planning, revising, and editing. a. Demonstrate command of standard English conventions (as described in Language standards 1–3 up to and including grade 4). b. Demonstrate the ability to use general academic and domain-specific vocabulary appropriately (as described in Language standards 4–6 up to and including grade 4).	“With guidance and support from peers and adults” was removed from standards in grades 3–8 for brevity and consistency. Using appropriate vocabulary in writing was already an expectation of the Language standards; including it here tightens connections between the strands.

Grade	2010 Standard	2017 Standard	Rationale for Change
4	Writing Standard 6 With some guidance and support from adults, use technology, including the Internet, to produce and publish writing as well as to interact and collaborate with others; demonstrate sufficient command of keyboarding skills to type a minimum of one page in a single sitting.	Writing Standard 6 With some guidance and support from adults Use technology, including current Web-based communication platforms , to produce and publish writing as well as to interact and collaborate with others; demonstrate sufficient command of keyboarding skills to type a minimum of one page in a single sitting	“With some guidance and support from adults” was removed from standards in grades 3–8 for brevity and consistency. “Current Web-based communication platforms” is more specific than “the Internet” but still flexible enough to allow technology to evolve without the standard becoming obsolete.
4	Writing Standard 9 Draw evidence from literary or informational texts to support analysis, reflection, and research. a. Apply <i>grade 4 Reading standards</i> to literature (e.g., “Describe in depth a character, setting, or event in a story or drama, drawing on specific details in the text [e.g., a character’s thoughts, words, or actions].”). b. Apply <i>grade 4 Reading standards</i> to informational texts (e.g., “Explain how an author uses reasons and evidence to support particular points in a text”).	Writing Standard 9 Draw evidence from literary or informational texts to support written analysis, reflection, and research, applying one or more grade 4 standards for Reading Literature or Reading Informational Text as needed.	Eliminating the examples avoids focusing attention on some Reading standards at the expense of others.
4	Speaking and Listening Standard 1a Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion.	Speaking and Listening Standard 1a Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion. (See <i>grade 4 Reading Literature standard 1 and Reading Informational Text standard 1 for specific expectations regarding the use of textual evidence.</i>)	Connections among strands were added to standards throughout the Framework to support integration.
4	Speaking and Listening Standard 2 Paraphrase portions of a text read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.	Speaking and Listening Standard 2 Paraphrase portions of a written text read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.	Wording throughout the standards was adjusted to clarify that texts come in forms other than words on a page.
4	Speaking and Listening Standard 4 Report on a topic or text, tell a story, or recount an experience in an organized manner, using appropriate facts and relevant, descriptive details to support main ideas or themes; speak clearly at an understandable pace.	Speaking and Listening Standard 4 Report on a topic, text, procedure, or solution to a mathematical problem , tell a story, or recount an experience in an organized manner, using appropriate facts and relevant, descriptive details to support main ideas or themes; speak clearly at an understandable pace and use appropriate vocabulary. (See <i>grade 4 Language standards 4–6 for specific expectations regarding vocabulary.</i>)	References to mathematics were added where appropriate throughout the Framework to support new guidance on literacy in the mathematics Framework. Using appropriate vocabulary when speaking was already an expectation of the Language standards; including it here tightens connections between the strands.

Grade	2010 Standard	2017 Standard	Rationale for Change
4	Speaking and Listening Standard 6 Differentiate between contexts that call for formal English (e.g., presenting ideas) and situations where informal discourse is appropriate (e.g., small-group discussion); use formal English when appropriate to task and situation. (See <i>grade 4 Language standards 1 and 3 on page 39 for specific expectations.</i>)	Speaking and Listening Standard 6 Differentiate between contexts that call for formal English (e.g., presenting research findings) and situations where informal discourse is appropriate (e.g., small-group discussion); use formal English when appropriate to task and situation. (See <i>grade 4 Language standards 1 and 3 for specific expectations.</i>)	The edit is for flexibility and accuracy: ideas may be presented informally in small-group discussion.
4	Language Standard 1 Demonstrate command of the conventions of standard English grammar and usage when writing or speaking. a. Use relative pronouns (<i>who, whose, whom, which, that</i>) and relative adverbs (<i>where, when, why</i>). b. Form and use the progressive (e.g., <i>I was walking; I am walking; I will be walking</i>) verb tenses. c. Use modal auxiliaries (e.g., <i>can, may, must</i>) to convey various conditions. d. Order adjectives within sentences according to conventional patterns (e.g., <i>a small red bag</i> rather than <i>a red small bag</i>). e. Form and use prepositional phrases. f. Produce complete sentences, recognizing and correcting inappropriate fragments and run-ons. g. Correctly use frequently confused words (e.g., <i>to, too, two; there, their</i>). MA.1.h. Write legibly by hand, using either printing or cursive handwriting. For the use of computer technology in writing, see Writing standard 6.	Language Standard 1 Demonstrate command of the conventions of standard English grammar and usage when writing or speaking; retain and further develop language skills learned in previous grades. (See <i>grade 4 Writing standard 5 and Speaking and Listening standard 6 on strengthening writing and presentations by applying knowledge of conventions.</i>) <i>Sentence Structure and Meaning</i> a. Produce complete sentences, using knowledge of subject and predicate to recognize and correct inappropriate sentence fragments and run-on sentences. b. Correctly use frequently confused words (e.g., <i>their/there</i>). c. Use helping verbs, also known as auxiliaries (e.g., <i>can, may, might, should</i>), to convey various conditions of possibility, likelihood, obligation, or permission, choosing among helping verbs depending on the overall meaning of the sentence. d. Use relative pronouns and relative adverbs to add more information about a noun or verb used in a sentence. e. Form and use prepositional phrases in sentences to add more information about qualities such as location, time, agency, and direction. <i>Word Usage</i> f. Form and use progressive verb tenses.	Language standard 1 was edited throughout the Framework to smooth progressions from grade to grade, to enhance clarity and coherence, and to emphasize that mastery of English conventions is a means to the end of authentic and effective communication. The subheadings <i>Sentence Structure and Meaning</i> and <i>Word Usage</i> appear across grade levels. Expectations for handwriting now appear in Language standard 2, which focuses on written conventions. Connections among strands were added to standards throughout the Framework, especially between Language and other strands, to support integration and the use of Language skills and understandings in authentic contexts.

Grade	2010 Standard	2017 Standard	Rationale for Change
4	Language Standard 2 Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing. a. Use correct capitalization. b. Use commas and quotation marks to mark direct speech and quotations from a text. c. Use a comma before a coordinating conjunction in a compound sentence. d. Spell grade-appropriate words correctly, consulting references as needed.	Language Standard 2 Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing. a. Write legibly and fluently by hand, using either printing or cursive handwriting; write their given name signature in cursive. b. Use correct capitalization. c. Use commas and quotation marks to mark direct speech and quotations from a text. d. Use a comma before a coordinating conjunction in a compound sentence. e. Spell grade-appropriate words correctly, consulting references as needed.	Handwriting in grade 4 was relocated from Language standard 1, which concerns aspects of grammar and usage applicable to both speaking and writing, to Language standard 2, which focuses on writing. Signing one’s name is a skill crucial to adult life. (The expectation broadens at grade 5 to include signing both given and family names.)
4	Language Standard 4 Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on <i>grade 4 reading and content</i> , choosing flexibly from a range of strategies. a. Use context (e.g., definitions, examples, or restatements in text) as a clue to the meaning of a word or phrase. b. Use common, grade-appropriate Greek and Latin affixes and roots as clues to the meaning of a word (e.g., <i>telegraph</i> , <i>photograph</i> , <i>autograph</i>). c. Consult reference materials (e.g., dictionaries, glossaries, thesauruses), both print and digital, to find the pronunciation and determine or clarify the precise meaning of key words and phrases.	Language Standard 4 Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on <i>grade 4 reading and content</i> , choosing flexibly from a range of strategies. a. Use context (e.g., definitions, examples, or restatements in text) as a clue to the meaning of a word or phrase. b. Use common, grade-appropriate Greek and Latin affixes and roots as clues to the meaning of a word (e.g., <i>telegraph</i> , <i>photograph</i> , <i>autograph</i>). c. Consult reference materials (e.g., dictionaries, glossaries, thesauruses), both print and digital, to find the pronunciation and determine or clarify the precise meaning of key words and phrases. d. Recognize and use appropriately abbreviations related to grade-level content or common in everyday life (e.g., <i>hr.</i> , <i>min.</i> , <i>sec.</i>). e. Recognize and use appropriately symbols related to grade-level content or common in everyday life (e.g., <i>&</i> , <i>#</i> , <i>*</i>).	Expectations for abbreviations and symbols were added to tighten connections to literacy skills in other disciplines (e.g., measuring time in mathematics).

Grade	2010 Standard	2017 Standard	Rationale for Change
4	Language Standard 6 Acquire and use accurately grade-appropriate conversational, general academic, and domain-specific words and phrases, including those that signal precise actions, emotions, or states of being (e.g., <i>quizzed</i> , <i>whined</i> , <i>stammered</i>) and that are basic to a particular topic (e.g., <i>wildlife</i> , <i>conservation</i> , and <i>endangered</i> when discussing animal preservation).	Language Standard 6 Acquire and use accurately grade-appropriate general academic and domain-specific words and phrases, including those that signal precise actions, emotions, or states of being (e.g., <i>quizzed</i> , <i>whined</i> , <i>stammered</i>) and that are basic to a particular topic (e.g., <i>wildlife</i> , <i>conservation</i> , and <i>endangered</i> when discussing animal preservation). (See grade 4 Reading Literature standard 4 and Reading Informational Text standard 4 on applying knowledge of vocabulary to reading; see grade 4 Writing standard 5 and Speaking and Listening standard 4 on strengthening writing and presentations by applying knowledge of vocabulary.)	Connections among strands were added to standards throughout the Framework, especially between Language and other strands, to support integration and the use of Language skills and understandings in authentic contexts.

English Language Arts and Literacy in the Content Areas, Grade 5

Note: The tables in this document show only standards that have been changed or moved. Very minor edits, such as corrected inconsistencies in usage, are omitted. If a specific change was made to multiple standards at the same grade level, only one instance of the change is listed for that grade. Please refer to the Framework for complete details.

Grade	2010 Standard	2017 Standard	Rationale for Change
5	Reading Literature Standard 1 Quote accurately from a text when explaining what the text says explicitly and when drawing inferences from the text.	Reading Literature Standard 1 Quote or paraphrase a text accurately when explaining what the text states explicitly and when drawing inferences from the text. (See grade 5 Writing standard 8 for more on paraphrasing.)	Paraphrasing was already an expectation of the Writing standards at this grade level; including it here tightens connections between the strands.
5	Reading Literature Standard 4 Determine the meaning of words and phrases as they are used in a text, including figurative language such as metaphors and similes.	Reading Literature Standard 4 Determine the meaning of words and phrases as they are used in a text; identify and explain the effects of figurative language such as metaphors and similes. (See grade 5 Language standards 4–6 on applying knowledge of vocabulary to reading.)	Edits incorporate expectations from 2010 Reading Literature standard MA.8.A, which was deleted. Connections among strands were added to standards throughout the Framework, especially between Language and other strands, to support integration and the use of Language skills and understandings in authentic contexts.
5	Reading Literature Standard 6 Describe how a narrator’s or speaker’s point of view influences how events are described.	Reading Literature Standard 6 Describe how a narrator’s or speaker’s point of view influences how events are described in a story, myth, poem, or drama.	The edit is to clarify the standard’s broad scope.
5	Reading Literature Standard 8 (Not applicable to literature)	Reading Literature Standard 8 (Not applicable. For expectations regarding themes in literary texts, see RL.2.)	The edit is to clarify the note’s intended meaning: not that literature never presents an argument, but that this standard sets no expectations related to reading literature because literary “arguments” are addressed by RL.2.
5	Reading Literature Standard MA.8.A Locate and analyze examples of foreshadowing in stories, poems, folktales, and plays.	[Standard deleted]	All 2010 Reading Literature MA.8.A standards were deleted and their contents adapted for integration into other standards for coherence and to ensure flexibility regarding the specific texts students read.
5	Reading Literature Standard 10 By the end of the year, read and comprehend literature, including stories, dramas, and poetry, at the high end of the grades 4–5 text complexity band independently and proficiently.	Reading Literature Standard 10 Independently and proficiently read and comprehend literary texts representing a variety of genres, cultures, and perspectives and exhibiting complexity appropriate for at least grade 5. (See pages __ for more on qualitative and quantitative dimensions of text complexity.)	This standard was edited throughout the Framework to clarify and broaden expectations for the range of texts students encounter. The parenthetical reference is to new guidance material.
5	Reading Informational Text Standard 2 Determine two or more main ideas of a text and explain how they are supported by key details; summarize the text.	Reading Informational Text Standard 2 Determine one or more main ideas of a text and explain how they are supported by key details; summarize a text.	The edit is to allow teachers more freedom in choosing texts; not all texts have two or more main ideas.

Grade	2010 Standard	2017 Standard	Rationale for Change
5	Reading Informational Text Standard 3 Explain the relationships or interactions between two or more individuals, events, ideas, or concepts in a historical, scientific, or technical texts based on specific information in the text.	Reading Informational Text Standard 3 Explain the relationships or interactions between two or more individuals, events, ideas, or concepts in a historical, scientific, mathematical , or technical texts based on specific information in the text.	References to mathematics were added where appropriate throughout the Framework to support new guidance on literacy in the mathematics Framework.
5	Reading Informational Text Standard 5 Compare and contrast the overall structure (e.g., chronology, comparison, cause/effect, problem/solution) of events, ideas, concepts, or information in two or more texts.	Reading Informational Text Standard 5 Describe how an author uses one or more structures (e.g., chronology, comparison, cause/effect, problem/solution) to present information in a text.	In the 2010 standards, this standard requires more than one text only at grade 5. The edited wording keeps the standard focused throughout the grades on what students do rather than how many texts they encounter. Other Reading standards set expectations for working with multiple texts.
5	Reading Informational Text Standard 10 By the end of the year, read and comprehend informational texts, including history/social studies, science, and technical texts, at the high end of the grades 4–5 text complexity band independently and proficiently.	Reading Informational Text Standard 10 Independently and proficiently read and comprehend informational texts, including history/social studies, science, mathematical , and technical texts, exhibiting complexity appropriate for at least grade 5. (See pages __ for more on qualitative and quantitative dimensions of text complexity.)	This standard was edited throughout the Framework to clarify expectations for the range of texts students encounter. References to mathematics were added where appropriate throughout the Framework to support new guidance on literacy in the mathematics Framework. The parenthetical reference is to new guidance material.
5	Writing Standard 1a Introduce a topic or text clearly, state an opinion, and create an organizational structure in which related ideas are grouped to support the writer’s purpose.	Writing Standard 1a Introduce a topic or text clearly, state an opinion, and create an organizational structure in which related ideas are grouped in paragraphs and sections to support the writer’s purpose.	“Paragraphs and sections” appear in this context at grade 4 but no other grade level in the 2010 standards, even when the standard remains otherwise identical across grades. The edit is for consistency.
5	Writing Standard 2a Introduce a topic clearly, provide a general observation and focus, and group related information logically; include formatting (e.g., headings), illustrations, and multimedia when useful to aiding comprehension.	Writing Standard 2a Introduce a topic clearly, provide a general observation and focus, and group related information logically in paragraphs and sections ; include text features (e.g., headings), illustrations, and multimedia when useful to aiding comprehension.	“Paragraphs and sections” appear in this context at grade 4 but no other grade level in the 2010 standards, even when the standard remains otherwise identical across grades. Their addition here is for consistency. “Text features” is for accuracy and consistency with the Reading standards.

Grade	2010 Standard	2017 Standard	Rationale for Change
5	Writing Standard 3 Write narratives to develop real or imagined experiences or events using effective technique, descriptive details, and clear event sequences. a. Orient the reader by establishing a situation and introducing a narrator and/or characters; organize an event sequence that unfolds naturally. b. Use narrative techniques, such as dialogue, description, and pacing, to develop experiences and events or show the responses of characters to situations. c. Use a variety of transitional words, phrases, and clauses to manage the sequence of events. d. Use concrete words and phrases and sensory details to convey experiences and events precisely. e. Provide a conclusion that follows from the narrated experiences or events.	Writing Standard 3 Write narratives in prose or poem form to develop real or imagined experiences or events using effective literary techniques, descriptive details, and clear event sequences. a. Orient the reader by establishing a situation and introducing a speaker , narrator, and/or characters; organize an appropriate narrative sequence . b. Use narrative techniques such as dialogue, description, and pacing to develop experiences or events or show the responses of characters to situations. c. Use a variety of transitional words, phrases, and clauses to manage the sequence of events . d. Use concrete words and phrases and sensory details to convey experiences or events precisely. e. Provide a sense of closure appropriate to the narrated experiences or events. f. For prose narratives, draw on characteristics of traditional or modern genres (e.g., tall tales, myths, mysteries, fantasies, historical fiction) from diverse cultures as models for writing. (See grade 5 Reading Literature standard 9.) g. For poems, draw on characteristics of traditional poetic forms (e.g., ballads, couplets) or modern free verse from diverse cultures as models for writing.	Edits incorporate expectations from 2010 Writing standard MA.3.A, which was deleted. Wording was edited to make the standard applicable to various types of poetry as well as to prose. “Real or imagined” in this context was removed throughout the Framework to avoid a false dichotomy: even fiction is grounded in the author’s reality. Connections among strands were added to standards throughout the Framework to support integration.
5	Writing Standard MA.3.A Write stories, poems, and scripts that draw on characteristics of tall tales or myths, or of modern genres such as mysteries, fantasies, and historical fiction.	[Standard deleted]	All Writing MA.3.A standards were deleted and their contents adapted for integration into other Writing standards for focus and coherence.

Grade	2010 Standard	2017 Standard	Rationale for Change
5	Writing Standard 5 With guidance and support from peers and adults, develop and strengthen writing as needed by planning, revising, editing, rewriting, or trying a new approach. (Editing for conventions should demonstrate command of Language standards 1–3 up to and including grade 5 on page 39.)	Writing Standard 5 With guidance and support from peers and adults Develop and strengthen writing as needed by planning, revising, editing, rewriting, or trying a new approach. a. Demonstrate command of standard English conventions (as described in Language standards 1–3 up to and including grade 5). b. Demonstrate the ability to use general academic and domain-specific vocabulary appropriately (as described in Language standards 4–6 up to and including grade 5).	“With guidance and support from peers and adults” was removed from standards in grades 3–8 for brevity and consistency. Using appropriate vocabulary in writing was already an expectation of the Language standards; including it here tightens connections between the strands.
5	Writing Standard 6 With some guidance and support from adults, use technology, including the Internet, to produce and publish writing as well as to interact and collaborate with others; demonstrate sufficient command of keyboarding skills to type a minimum of two pages in a single sitting.	Writing Standard 6 With some guidance and support from adults Use technology, including current Web-based communication platforms , to produce and publish writing as well as to interact and collaborate with others; demonstrate sufficient command of keyboarding skills to type a minimum of two pages in a single sitting.	“With some guidance and support from adults” was removed from standards in grades 3–8 for brevity and consistency. “Current Web-based communication platforms” is more specific than “the Internet” but still flexible enough to allow technology to evolve without the standard becoming obsolete.
5	Writing Standard 9 Draw evidence from literary or informational texts to support analysis, reflection, and research. a. Apply <i>grade 5 Reading standards</i> to literature (e.g., “Compare and contrast two or more characters, settings, or events in a story or a drama, drawing on specific details in the text [e.g., how characters interact]”). b. Apply <i>grade 5 Reading standards</i> to informational texts (e.g., “Explain how an author uses reasons and evidence to support particular points in a text, identifying which reasons and evidence support which point[s]”).	Writing Standard 9 Draw evidence from literary or informational texts to support written analysis, reflection, and research, applying one or more grade 5 standards for Reading Literature or Reading Informational Text as needed.	Eliminating the examples avoids focusing attention on some Reading standards at the expense of others.
5	Speaking and Listening Standard 1a Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion.	Speaking and Listening Standard 1a Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion. (See grade 5 Reading Literature standard 1 and Reading Informational Text standard 1 for specific expectations regarding the use of textual evidence.)	Connections among strands were added to standards throughout the Framework to support integration.

Grade	2010 Standard	2017 Standard	Rationale for Change
5	Speaking and Listening Standard 4 Report on a topic or text or present an opinion, sequencing ideas logically and using appropriate facts and relevant, descriptive details to support main ideas or themes; speak clearly at an understandable pace.	Speaking and Listening Standard 4 Report on a topic, text, procedure, or solution to a mathematical problem , or present an opinion, sequencing ideas logically and using appropriate facts and relevant, descriptive details to support main ideas or themes; speak clearly at an understandable pace and use appropriate vocabulary. (See grade 5 Language standards 4–6 for specific expectations regarding vocabulary.)	References to mathematics were added where appropriate throughout the Framework to support new guidance on literacy in the mathematics Framework. Using appropriate vocabulary when speaking was already an expectation of the Language standards; including it here tightens connections between the strands.
5	Speaking and Listening Standard 5 Include multimedia components (e.g., graphics, sound) and visual displays in presentations when appropriate to enhance the development of main ideas or themes.	Speaking and Listening Standard 5 Include multimedia components (e.g., graphics, sound) and visual displays in presentations when appropriate to enhance the development of main ideas or themes.	The edit is for clarity: graphics are visual displays.
5	Language Standard 1 Demonstrate command of the conventions of standard English grammar and usage when writing or speaking. a. Explain the function of conjunctions, prepositions, and interjections in general and their function in particular sentences. b. Form and use the perfect (e.g., <i>I had walked</i> ; <i>I have walked</i> ; <i>I will have walked</i>) verb tenses. c. Use verb tense to convey various times, sequences, states, and conditions. d. Recognize and correct inappropriate shifts in verb tense. e. Use correlative conjunctions (e.g., <i>either/or</i> , <i>neither/nor</i>).	Language Standard 1 Demonstrate command of the conventions of standard English grammar and usage when writing or speaking; retain and further develop language skills learned in previous grades. (See grade 5 Writing standard 5 and Speaking and Listening standard 6 on strengthening writing and presentations by applying knowledge of conventions.) <i>Sentence Structure and Meaning</i> a. Use verb tense to convey various times, sequences, states, and conditions, choosing among verb tenses depending on the overall meaning of the sentence. b. Recognize and correct inappropriate shifts in verb tense. c. Use active and passive verbs, choosing between them depending on the overall meaning of the sentence. <i>Word Usage</i> d. Form and use perfect verb tenses.	Language standard 1 was edited throughout the Framework to smooth progressions from grade to grade, to enhance clarity and coherence, and to emphasize that mastery of English conventions is a means to the end of authentic and effective communication. The subheadings <i>Sentence Structure and Meaning</i> and <i>Word Usage</i> now appear across grade levels. Connections among strands were added to standards throughout the Framework, especially between Language and other strands, to support integration and the use of Language skills and understandings in authentic contexts.

Grade	2010 Standard	2017 Standard	Rationale for Change
5	Language Standard 2 Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing. a. Use punctuation to separate items in a series. b. Use a comma to separate an introductory element from the rest of the sentence. c. Use a comma to set off the words <i>yes</i> and <i>no</i> (e.g., <i>Yes, thank you</i>), to set off a tag question from the rest of the sentence (e.g., <i>It's true, isn't it?</i>), and to indicate direct address (e.g., <i>Is that you, Steve?</i>). d. Use underlining, quotation marks, or italics to indicate titles of works. e. Spell grade-appropriate words correctly, consulting references as needed.	Language Standard 2 Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing. a. Write legibly and fluently by hand, using either print or cursive handwriting; write their given and family name signature in cursive. b. Use punctuation to separate items in a series c. Use a comma to separate an introductory element from the rest of the sentence. d. Use a comma to set off the words <i>yes</i> and <i>no</i> (e.g., <i>Yes, thank you</i>), to set off a tag question from the rest of the sentence (e.g., <i>It's true, isn't it?</i>), and to indicate direct address (e.g., <i>Is that you, Steve?</i>). e. Use underlining, quotation marks, or italics to indicate titles of works. f. Spell grade-appropriate words correctly, consulting references as needed.	The 2010 standards include expectations for handwriting at grades K, 1, and 4 only; the 2017 Framework strengthens the progression by also addressing handwriting at grades 2, 3, and 5. Signing one's name is a skill crucial to adult life.

Grade	2010 Standard	2017 Standard	Rationale for Change
5	Language Standard 4 Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on <i>grade 5 reading and content</i> , choosing flexibly from a range of strategies. a. Use context (e.g., cause/effect relationships and comparisons in text) as a clue to the meaning of a word or phrase. b. Use common, grade-appropriate Greek and Latin affixes and roots as clues to the meaning of a word (e.g., <i>photograph</i> , <i>photosynthesis</i>). c. Consult reference materials (e.g., dictionaries, glossaries, thesauruses), both print and digital, to find the pronunciation and determine or clarify the precise meaning of key words and phrases.	Language Standard 4 Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on <i>grade 5 reading and content</i> , choosing flexibly from a range of strategies. a. Use context (e.g., cause/effect relationships and comparisons in text) as a clue to the meaning of a word or phrase. b. Use common, grade-appropriate Greek and Latin affixes and roots as clues to the meaning of a word (e.g., <i>photograph</i> , <i>photosynthesis</i>). c. Consult reference materials (e.g., dictionaries, glossaries, thesauruses), both print and digital, to find the pronunciation and determine or clarify the precise meaning of key words and phrases. d. Recognize and use appropriately abbreviations related to grade-level content or common in everyday life, including abbreviations derived from words or phrases in other languages (e.g., <i>lb.</i>, <i>oz.</i>, etc.). e. Recognize and use appropriately symbols related to grade-level content or common in everyday life, including symbols with multiple meanings (e.g., parentheses in mathematics and in writing, ° to measure angles and temperature).	Expectations for abbreviations and symbols were added to tighten connections to literacy skills in other disciplines.
5	Language Standard 6 Acquire and use accurately grade-appropriate general academic and domain-specific words and phrases, including those that signal contrast, addition, and other logical relationships (e.g., <i>however</i> , <i>although</i> , <i>nevertheless</i> , <i>similarly</i> , <i>moreover</i> , <i>in addition</i>).	Language Standard 6 Acquire and use accurately grade-appropriate general academic and domain-specific words and phrases, including those that signal contrast, addition, and other logical relationships (e.g., <i>however</i> , <i>although</i> , <i>nevertheless</i> , <i>similarly</i> , <i>moreover</i> , <i>in addition</i>). (See grade 5 Reading Literature standard 4 and Reading Informational Text standard 4 on applying knowledge of vocabulary to reading; see grade 5 Writing standard 5 and Speaking and Listening standard 4 on strengthening writing and presentations by applying knowledge of vocabulary.)	Connections among strands were added to standards throughout the Framework, especially between Language and other strands, to support integration and the use of Language skills and understandings in authentic contexts.

Appendix B: Summary of Changes to Other Sections of the Framework

Section	Change and Rationale
Introduction: history/background	Scope expanded to include Massachusetts standards development and review processes 1993–2017
Introduction: about the standards	Guidance added on text selection and on reading, writing, speaking, listening, research, and language in the Framework
Introduction: guiding principles	All principles revised; new principle added to highlight social and emotional learning
Introduction: college and career readiness	New page added to summarize Massachusetts definition of college and career readiness and civic preparation
Guidance: notes and footnotes	Explanatory notes on writing types and purposes, text range and complexity, language standards, etc. revised and/or moved
Guidance: chart of Language skills	Chart revised for clarity, utility, and alignment with updated standards
Guidance: literacy across the curriculum	Guidance added on literacy in the context of a well-rounded curriculum—especially in the context of mathematics
Guidance: text selection and complexity	New guidance on assessing text complexity added; lists of sample texts updated, expanded, and made more coherent
Guidance: examples illustrating standards	Sample instructional scenarios and links to sample student work added throughout Framework
Appendices: guidance on ELs, SWD	Sections updated to reflect new developments in research and policy and to direct users to other Massachusetts resources
Appendices: lists of suggested authors	Names corrected, added, and in some cases reorganized to recognize authors who wrote across genres
Appendices: glossary	Entries reorganized, revised, and supplemented to align with and support standards more fully
Appendices: bibliography	New entries added; new section listing instructional resources added

Kindergarten Reading Standards

The following standards offer a focus for instruction each year and help ensure that students gain adequate exposure to a range of texts and tasks. Rigor is also infused through the requirement that students read increasingly complex texts through the grades. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades.

Kindergarten Reading Standards for Literature [RL]

Key Ideas and Details

1. With prompting and support, ask and answer questions about key details in a text.
*For example, after hearing their teacher read and show the illustrations in David Almond's picture book version of a traditional African tale, *Animal the Spider*, students recall the folktale about the clever spider Anansi and draw pictures to illustrate characters and their interactions at important points in the story. (RI.1.1, RI.1.2, RI.1.3, RI.1.4)*
2. With prompting and support, identify characters, settings, and major events in a story.

Craft and Structure

4. Ask and answer questions about unknown words in a text. (See kindergarten Language Standards 4–6 on applying knowledge of vocabulary to reading.)
5. Recognize common types of texts and characteristics of their structure (e.g., story elements in books; rhyme, rhythm, and repetition in poems).
*For example, students read with their teacher two texts about foods that are made, eaten, and enjoyed all around the world: *Peanut Butter* by Tomie dePaola's book *Peanut Butter for Breakfast* and Christina Rossetti's poem "Kiss a Peanutt." After discussing the two texts, students explain how they knew from the structure of each work that the first text was a story and the second a poem. (RI.1.5, RI.1.6)*
6. With prompting and support, explain that reading the cover or title page is how to find out who created a book; name the author and illustrator of a book and define the role of each in telling the story.

Integration of Knowledge and Ideas

7. With prompting and support, describe the relationship between illustrations and the story in which they appear (e.g., what moment in a story an illustration depicts).
8. (Not applicable.)
9. With prompting and support, compare and contrast the adventures and experiences of characters in familiar stories.

Range of Reading and Level of Text Complexity

10. Actively engage in group reading activities with purpose and understanding.

Kindergarten Reading Standards for Informational Text [RI]

Key Ideas and Details

1. With prompting and support, ask and answer questions about key details in a text.
2. With prompting and support, identify the main topic and retell key details of a text.
3. With prompting and support, describe the connection between two individuals, events, ideas, or pieces of information in a text.

Craft and Structure

4. With prompting and support, ask and answer questions about unknown words in a text. (See kindergarten Language Standards 4–6 on applying knowledge of vocabulary to reading.)
5. Identify the front cover, back cover, and title page of a book.
6. Name the author and illustrator of a text and define the role of each in presenting the idea or information in the text.

Integration of Knowledge and Ideas

7. With prompting and support, describe the relationship between illustrations and the text in which they appear (e.g., what person, place, thing, or idea in the text an illustration depicts).
*For example, students study the life cycles of insects and animals. Students read books such as *One Bean* by Anne Rockwell, *From Seed to Plant* by Gail Gibbons, and *A Tree Is Plant* by Cyndy Roberts. Before introducing students to core science concepts and vocabulary through illustrations and words, students draw, discuss, and write observations in advance journals. (RI.1.1, RI.1.2, RI.1.3, RI.1.4, RI.1.5, RI.1.6)*
8. With prompting and support, identify the reasons an author gives to support points in a text.
9. With prompting and support, identify basic similarities in and differences between two texts on the same topic (e.g., in illustrations, descriptions, or procedures).

Range of Reading and Level of Text Complexity

10. Actively engage in group reading activities with purpose and understanding.

Reading Standards for Literature K-5

The following standards offer a focus for instruction each year and help ensure that students gain adequate exposure to a range of texts and tasks. Rigor is also infused through the requirement that students read increasingly complex texts through the grades. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades.

Kindergartners:	Grade 1 students:
Key Ideas and Details	
1. With prompting and support, ask and answer questions about key details in a text.	1. Ask and answer questions about key details in a text.
2. With prompting and support, retell familiar stories, including key details.	2. Retell stories, including key details, and demonstrate understanding of their central message or lesson.
3. With prompting and support, identify characters, settings, and major events in a story.	3. Describe characters, settings, and major events in a story, using key details.
Craft and Structure	
4. Ask and answer questions about unknown words in a text.	4. Identify words and phrases in stories or poems that suggest feelings or appeal to the senses.
5. Recognize common types of texts (e.g., storybooks, poems).	5. Explain major differences between books that tell stories and books that give information, drawing on a wide reading of a range of text types.
6. With prompting and support, name the author and illustrator of a story and define the role of each in telling the story.	6. Identify who is telling the story at various points in a text.
Integration of Knowledge and Ideas	
7. With prompting and support, describe the relationship between illustrations and the story in which they appear (e.g., what moment in a story an illustration depicts).	7. Use illustrations and details in a story to describe its characters, setting, or events.
8. (Not applicable to literature)	8. (Not applicable to literature)
9. With prompting and support, compare and contrast the adventures and experiences of characters in familiar stories.	9. Compare and contrast the adventures and experiences of characters in stories.
Range of Reading and Level of Text Complexity	
10. Actively engage in group reading activities with purpose and understanding.	10. With prompting and support, read prose and poetry of appropriate complexity for grade 1.

Reading Standards for Informational Text K-5

Kindergartners:	Grade 1 students:
Key Ideas and Details	
1. With prompting and support, ask and answer questions about key details in a text.	1. Ask and answer questions about key details in a text.
2. With prompting and support, identify the main topic and retell key details of a text.	2. Identify the main topic and retell key details of a text.
3. With prompting and support, describe the connection between two individuals, events, ideas, or pieces of information in a text.	3. Describe the connection between two individuals, events, ideas, or pieces of information in a text.
Craft and Structure	
4. With prompting and support, ask and answer questions about unknown words in a text.	4. Ask and answer questions to help determine or clarify the meaning of words and phrases in a text.
5. Identify the front cover, back cover, and title page of a book.	5. Know and use various text features (e.g., headings, tables of contents, glossaries, electronic menus, icons) to locate key facts or information in a text.
6. Name the author and illustrator of a text and define the role of each in presenting the idea or information in a text.	6. Distinguish between information provided by pictures or other illustrations and information provided by the words in a text.
Integration of Knowledge and Ideas	
7. With prompting and support, describe the relationship between illustrations and the text in which they appear (e.g., what person, place, thing, or idea in the text an illustration depicts).	7. Use the illustrations and details in a text to describe its key ideas.
8. With prompting and support, identify the reasons an author gives to support points in a text.	8. Identify the reasons an author gives to support points in a text.
9. With prompting and support, identify basic similarities in and differences between two texts on the same topic (e.g., in illustrations, descriptions, or procedures).	9. Identify basic similarities in and differences between two texts on the same topic (e.g., in illustrations, descriptions, or procedures).
Range of Reading and Level of Text Complexity	
10. Actively engage in group reading activities with purpose and understanding.	10. With prompting and support, read informational texts appropriately complex for grade 1.

Reading Standards: Foundational Skills (K-5)

These standards are directed toward fostering students' understanding and working knowledge of concepts of print, the alphabetic principle, and other basic conventions of the English writing system. These foundational skills are not an end in and of themselves; rather, they are necessary and important components of an effective, comprehensive reading program designed to develop proficient readers with the capacity to comprehend texts across a range of types and disciplines. Instruction should be differentiated: good readers will need much less practice with these concepts than struggling readers will. The point is to teach students what they need to learn and not what they already know—to discern when particular children or activities warrant more or less attention.

Note: In kindergarten, children are expected to demonstrate increasing awareness and competence in the areas that follow.

Kindergartners:	Grade 1 students:
Print Concepts	
1. Demonstrate understanding of the organization and basic features of print. a. Follow words from left to right, top to bottom, and page by page. b. Recognize that spoken words are represented in written language by specific sequences of letters. c. Understand that words are separated by spaces in print. d. Recognize and name all upper- and lowercase letters of the alphabet.	1. Demonstrate understanding of the organization and basic features of print. a. Recognize the distinguishing features of a sentence (e.g., first word, capitalization, ending punctuation).
Phonological Awareness	
2. Demonstrate understanding of spoken words, syllables, and sounds (phonemes). a. Recognize and produce rhyming words. b. Count, pronounce, blend, and segment syllables in spoken words. c. Blend and segment onsets and rimes of single-syllable spoken words. d. Isolate and pronounce the initial, medial vowel, and final sounds (phonemes) in three-phoneme (consonant-vowel-consonant, or CVC) words. (This does not include CVCs ending with /l/, /r/, or /x/.) e. Add or substitute individual sounds (phonemes) in simple, one-syllable words to make new words.	2. Demonstrate understanding of spoken words, syllables, and sounds (phonemes). a. Distinguish long from short vowel sounds in spoken single-syllable words. b. Orally produce single-syllable words by blending sounds (phonemes), including consonant blends. c. Isolate and pronounce initial, medial vowel, and final sounds (phonemes) in spoken single-syllable words. d. Segment spoken single-syllable words into their complete sequence of individual sounds (phonemes).

*Words, syllables, or phonemes written in /slashes/ refer to their pronunciation or phonology. Thus, /CVC/ is a word with three phonemes regardless of the number of letters in the spelling of the word.

Reading Standards: Foundational Skills (K-5)

Note: In kindergarten children are expected to demonstrate increasing awareness and competence in the areas that follow.

Kindergartners:	Grade 1 students:
Phonics and Word Recognition	
3. Know and apply grade-level phonics and word analysis skills in decoding words. a. Demonstrate basic knowledge of one-to-one letter-sound correspondences by producing the primary sound or many of the most frequent sounds for each consonant. b. Associate the long and short sounds with common spellings (graphemes) for the five major vowels. c. Read common high-frequency words by sight (e.g., the, of, to, you, she, my, it, are, do, does). d. Distinguish between similarly spelled words by identifying the sounds of the letters that differ.	3. Know and apply grade-level phonics and word analysis skills in decoding words. a. Know the spelling-sound correspondences for common consonant digraphs. b. Decode regularly spelled one-syllable words. c. Know final -e and common vowel team conventions for representing long vowel sounds. d. Use knowledge that every syllable must have a vowel sound to determine the number of syllables in a printed word. e. Decode two-syllable words following basic patterns by breaking the words into syllables. f. Read words with inflectional endings. g. Recognize and read grade-appropriate irregularly spelled words.
Fluency	
4. Read emergent-reader texts with purpose and understanding.	4. Read with sufficient accuracy and fluency to support comprehension. a. Read grade-level text with purpose and understanding. b. Read grade-level text orally with accuracy, appropriate rate, and expression on successive readings. c. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

Grade 1 Reading Standards

Grade 1 Reading Standards for Literature [RL]

The following standards offer a focus for instruction each year and help ensure that students gain adequate exposure to a range of texts and tasks. Rigor is also infused through the requirement that students read increasingly complex texts through the grades. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades.

Key Ideas and Details

1. Ask and answer questions about key details in a text.
2. Retell stories, including key details, and demonstrate understanding of their central message or lesson.
3. Describe characters, settings, and major events in a story, using key details.

Craft and Structure

4. Identify words and phrases in stories or poems that suggest feelings or appeal to the senses. (See grade 1 Language Standards 4–6 on applying knowledge of vocabulary to reading.)
5. Identify characteristics of common types of stories, including folktales and fairy tales.
For example, in a story of folktales read in class, students listen to and read along with the teacher the traditional poem, "The Fox's Forgiveness," noting the repetition, rhythm, and rhyme. After performing a shared reading of another version of the poem, "The Fox Went Out One Chilly Night," they read more traditional tales featuring foxes and write opinion pieces about the character of the fox in the tales they have read. (RI.1.5, RI.1.6, RI.1.7, RI.1.8)
6. Identify who is telling the story at various points in a text.

Integration of Knowledge and Ideas

7. Use illustrations and details in a story to describe its characters, setting, or events.
8. (Not applicable. For expectations regarding central messages or lessons in stories, see RL.2.)
9. Compare and contrast the adventures and experiences of characters in stories.
For example, students read and discuss the adventures of several picture books by one author/illustrator, such as Bertha Potter, Dr. Seuss, William Steig, Eric Carle, Ezra Jack Keats, Jerry Pinkney, or Mia Wittem, and make a list of the similarities they notice in the books. (RI.1.9, RI.1.10)

Range of Reading and Level of Text Complexity

10. With prompting and support, read and comprehend literary texts representing a variety of genres, cultures, and perspectives and exhibiting complexity appropriate for at least grade 1. (See [more on qualitative and quantitative dimensions of text complexity](#).)

Grade 1 Reading Standards for Informational Text [RI]

Key Ideas and Details

1. Ask and answer questions about key details in a text.
2. Identify the main topic and retell key details of a text.
3. Describe the connection between two individuals, events, ideas, or pieces of information in a text.
*Students read and listen to the teacher read biographies of individuals who were courageous in the pursuit of justice for a variety of reasons throughout United States history. Among the books read are *Elizabeth Leads the Way* (about Elizabeth Cady Stanton) by Margaret Tiedt Rivers, *Side by Side: The Story of Oliver Hudson and Gail Chase* by Arlene Brown, *Lucas Robison* by Jeff Hesse, and *Lady Whipped* by Robert Coles. After reading these five stories, students write their own biography of a person who worked for justice. (RI.1.3, RI.1.4, RI.1.5)*

Craft and Structure

4. Ask and answer questions to help determine or clarify the meaning of words and phrases in a text. (See grade 1 Language Standards 4–6 on applying knowledge of vocabulary to reading.)
5. Know and use various text features (e.g., headings, tables of contents, glossaries, electronic menus, icons) to locate key facts or information in a text.
6. Distinguish between information provided by pictures or other illustrations and information provided by the words in a text.

Integration of Knowledge and Ideas

7. Use the illustrations and details in a text to describe its key ideas.
8. Identify the reasons an author gives to support points in a text.
9. Identify basic similarities in and differences between two texts on the same topic (e.g., in illustrations, descriptions, or procedures).

Range of Reading and Level of Text Complexity

10. With prompting and support, read and comprehend informational texts exhibiting complexity appropriate for at least grade 1. (See [more on qualitative and quantitative dimensions of text complexity](#).)

Grade 1 Reading Standards for Foundational Skills [RF]

These standards are directed toward fostering students' understanding and working knowledge of concepts of print, the alphabetic principle, and other basic conventions of the English writing system. A research- and evidence-based scope and sequence for phonological and phonics development and the complete range of foundational skills are not ends in and of themselves; they are necessary and important components of an effective, comprehensive reading curriculum designed to develop proficient readers with the capacity to comprehend texts across a range of types and disciplines. Instruction should be differentiated: as students become skilled readers, they will need much less practice with these concepts. Struggling readers may need more or different kinds of practice. The point is to teach students what they need to learn and not what they already know—to discern when particular children or activities warrant more or less attention.

Print Concepts

1. Demonstrate understanding of the organization and basic features of print.
a. Recognize the distinguishing features of a sentence (e.g., first word, capitalization, ending punctuation).

Phonological Awareness

2. Demonstrate understanding of spoken words, syllables, and sounds (phonemes).
a. Distinguish long from short vowel sounds in spoken single-syllable words.
b. Orally produce single-syllable words by blending sounds (phonemes), including consonant blends.
c. Isolate and pronounce initial, medial vowel, and final sounds (phonemes) in spoken single-syllable words.
d. Segment spoken single-syllable words into their complete sequence of individual sounds (phonemes).

Phonics and Word Recognition

3. Know and apply grade-level phonics and word analysis skills in decoding words.
a. Know the spelling-sound correspondences for common consonant digraphs.
b. Decode regularly spelled one-syllable words.
c. Know final -e and common vowel team conventions for representing long vowel sounds.
d. Use knowledge that every syllable must have a vowel sound to determine the number of syllables in a printed word.
e. Decode two-syllable words following basic patterns by breaking the words into syllables.
f. Read words with inflectional endings.
g. Recognize and read grade-appropriate irregularly spelled words.

Fluency

4. Read with sufficient accuracy and fluency to support comprehension.
a. Read grade-level text with purpose and understanding.
b. Read grade-level text orally with accuracy, appropriate rate, and expression on successive readings.
c. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

Kindergarten Reading Standards for Foundational Skills [RF]

These standards are directed toward fostering students' understanding and working knowledge of concepts of print, the alphabetic principle, and other basic conventions of the English writing system. A research- and evidence-based scope and sequence for phonological and phonics development and the complete range of foundational skills are not ends in and of themselves; they are necessary and important components of an effective, comprehensive reading curriculum designed to develop proficient readers with the capacity to comprehend texts across a range of types and disciplines. Instruction should be differentiated: as students become skilled readers, they will need much less practice with these concepts. Struggling readers may need more or different kinds of practice. The point is to teach students what they need to learn and not what they already know—to discern when particular children or activities warrant more or less attention.

Note: In pre-kindergarten and kindergarten, children are expected to demonstrate increasing awareness and competence in the areas that follow.

Print Concepts

1. Demonstrate understanding of the organization and basic features of print.
a. Follow words from left to right, top to bottom, and page by page.
b. Recognize that spoken words are represented in written language by specific sequences of letters.
c. Understand that words are separated by spaces in print.
d. Recognize and name all upper- and lowercase letters of the alphabet.

Phonological Awareness

2. Demonstrate understanding of spoken words, syllables, and sounds (phonemes).
a. Recognize and produce rhyming words.
b. Count, pronounce, blend, and segment syllables in spoken words.
c. Blend and segment onsets and rimes of single-syllable spoken words.
d. Isolate and pronounce the initial, medial vowel, and final sounds (phonemes) in three-phoneme (consonant-vowel-consonant, or CVC) words. (This does not include CVCs ending with /l/, /r/, or /x/.)

Phonics and Word Recognition

3. Know and apply grade-level phonics and word analysis skills in decoding words.
a. Demonstrate basic knowledge of one-to-one letter-sound correspondences by producing the primary sound or many of the most frequent sounds for each consonant.
b. Associate the long and short sounds with common spellings (graphemes) for the five major vowels.
c. Read common high-frequency words by sight (e.g., the, of, to, you, she, my, it, are, do, does).
d. Distinguish between similarly spelled words by identifying the sounds of the letters that differ.

Fluency

4. Read early-emergent-reader texts with purpose and understanding.

Grade 2 Writing Standards [W]

The following standards offer a focus for instruction each year to help ensure that students gain adequate mastery of a range of skills and applications. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades. The expected growth in student writing ability is reflected both in the standards themselves and in the collections of annotated student writing samples in **Appendix C of the Common Core State Standards** and the **Massachusetts Writing Standards in Action Project**.

Text Types and Purposes

Notes: The intent of Writing Standards 1-3 is to ensure flexibility, not rigidity, in student writing. Many effective pieces of writing blend elements of more than one text type in service of a single purpose: for example, an argument may rely on anecdotal evidence, a short story may function to explain some phenomenon, or a literary analysis may use explanation to develop an argument. In addition, each of the three types of writing is itself a broad category of texts: for example, narrative poems, short stories, and memoirs represent three distinct forms of narrative writing. Finally, although the bulk of writing assigned in school should be for purposes described below, other forms of writing—for example, lists and notes, descriptive letters, personal reflections—should have a place in the classroom as well. To develop flexibility and nuance in their own writing, students need to engage with a wide range of complex model texts (see Reading Literature Standard 10 and Reading Informational Text Standard 10) and study authors who have written successfully across genres (see **Appendix B: A Literary Heritage**).

- Write opinion pieces that introduce the topic or book they are writing about, state an opinion, supply reasons that support the opinion, use linking words (e.g., *because*, *and*, *also*) to connect opinion and reasons, and provide a concluding statement or section.
- In math, instead of writing opinions, students write or draw solutions to math word problems and present arguments to explain their thinking.

Connections to the Standards for Mathematical Practice

- Reason abstractly and quantitatively.
- Construct viable arguments and respond to the reasoning of others.

For example: Students keep a math journal in which they record prepared solutions to word problems in addition and subtraction. They use drawings, write equations, and written sentences to argue why 8 is the correct answer to a problem such as "If there are 13 cookies in the bowl and 7 are eaten, how many remain?"

- Write informative/explanatory texts that introduce a topic, use facts and definitions to develop points, and provide a concluding statement or section.

For example: Students keep a math journal in which they record prepared solutions to word problems in addition and subtraction. They use drawings, write equations, and written sentences to argue why 8 is the correct answer to a problem such as "If there are 13 cookies in the bowl and 7 are eaten, how many remain?"

- Write narratives in which they recount a well-elaborated event or short sequence of events, include details to describe actions, thoughts, and feelings, use temporal words to signal event order, and provide a sense of closure.

For example: Students keep a math journal in which they record prepared solutions to word problems in addition and subtraction. They use drawings, write equations, and written sentences to argue why 8 is the correct answer to a problem such as "If there are 13 cookies in the bowl and 7 are eaten, how many remain?"

Production and Distribution of Writing

- Produce writing in which the development and organization are appropriate to task, purpose, and audience. (Grade-specific expectations for writing types are defined in standards 1-3 above.)
- Write narratives in which they recount a well-elaborated event or short sequence of events, include details to describe actions, thoughts, and feelings, use temporal words to signal event order, and provide a sense of closure.

- Write informative/explanatory texts that introduce a topic, use facts and definitions to develop points, and provide a concluding statement or section.

Research to Build and Present Knowledge

- Participate in shared research and writing projects (e.g., read a number of books on a single topic to produce a report; record science observations).
- Recall information from experiences or gather information from provided sources to answer a question.

Range of Writing

- Write routinely for a range of tasks, purposes, and audiences.

Writing Standards K-5

The following standards for K-5 offer a focus for instruction each year to help ensure that students gain adequate mastery of a range of skills and applications. Each year in their writing, students should demonstrate increasing sophistication in all aspects of language use, from vocabulary and syntax to the development and organization of ideas, and they should address increasingly demanding content and sources. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades. The expected growth in student writing ability is reflected both in the standards themselves and in the collection of annotated student writing samples in **Appendix C**.

Grade 2 students:	Grade 3 students:
Text Types and Purposes	Text Types and Purposes
1. Write opinion pieces in which they introduce the topic or book they are writing about, state an opinion, supply reasons that support the opinion, use linking words (e.g., <i>because</i> , <i>and</i> , <i>also</i>) to connect opinion and reasons, and provide a concluding statement or section.	1. Write opinion pieces on topics or texts, supporting a point of view with reasons. a. Introduce the topic or text they are writing about, state an opinion, and create an organizational structure that lists reasons. b. Provide reasons that support the opinion. c. Use linking words and phrases (e.g., <i>because</i> , <i>therefore</i> , <i>since</i> , <i>for example</i>) to connect opinion and reasons. d. Provide a concluding statement or section.
2. Write informative/explanatory texts in which they introduce a topic, use facts and definitions to develop points, and provide a concluding statement or section.	2. Write informative/explanatory texts to examine a topic and convey ideas and information clearly. a. Introduce a topic and group related information together; include illustrations when useful to adding comprehension. b. Develop the topic with facts, definitions, and details. c. Use linking words and phrases (e.g., <i>also</i> , <i>another</i> , <i>and</i> , <i>more</i> , <i>but</i>) to connect ideas within categories of information. d. Provide a concluding statement or section.
3. Write narratives in which they recount a well-elaborated event or short sequence of events, include details to describe actions, thoughts, and feelings, use temporal words to signal event order, and provide a sense of closure.	3. Write narratives to develop real or imagined experiences or events using effective technique, descriptive details, and clear event sequences. a. Establish a situation and introduce a narrator and/or characters; organize an event sequence that unfolds naturally. b. Use dialogue and descriptions of actions, thoughts, and feelings to develop experiences and events or show the response of characters to situations. c. Use temporal words and phrases to signal event order. d. Provide a sense of closure.
Production and Distribution of Writing	Production and Distribution of Writing
4. (Begins in grade 3)	4. With guidance and support from adults, produce writing in which the development and organization are appropriate to task and purpose. (Grade-specific expectations for writing types are defined in standards 1-3 above.)
5. With guidance and support from adults and peers, focus on a topic and strengthen writing as needed by revising and editing.	5. With guidance and support from peers and adults, develop and strengthen writing as needed by planning, revising, and editing. (Editing for conventions should demonstrate command of Language Standards 1-3 up to and including grade 3 on page 29.)
6. With guidance and support from adults, use a variety of digital tools to produce and publish writing, including in collaboration with peers.	6. With guidance and support from adults, use technology to produce and publish writing (using keyboarding skills) as well as to interact and collaborate with others.
Research to Build and Present Knowledge	Research to Build and Present Knowledge
7. Participate in shared research and writing projects (e.g., read a number of books on a single topic to produce a report; record science observations).	7. Conduct short research projects that build knowledge about a topic.
8. Recall information from experiences or gather information from provided sources to answer a question.	8. Recall information from experiences or gather information from print and digital sources; take brief notes on sources and sort evidence into provided categories.
Range of Writing	Range of Writing
9. (Begins in grade 4)	9. (Begins in grade 4)
10. (Begins in grade 3)	10. Write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

Grade 2 Speaking and Listening Standards [SL]

The following standards offer a focus for instruction each year to help ensure that students gain adequate mastery of a range of skills and applications. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades.

Comprehension and Collaboration

- Participate in collaborative conversations with diverse partners about grade 2 topics and texts with peers and adults in small and larger groups.
a. Follow agreed-upon rules for discussions (e.g., gaining the floor in respectful ways, listening to others with care, speaking one at a time about the topics and texts under discussion).
b. Build on others' talk in conversations by linking their comments to the remarks of others.
c. Ask for clarification and further explanation as needed about the topics and texts under discussion.

For example: Students working in a group studying community helpers make a list of people they know and could interview. Building on one another's knowledge, they decide whom they wish to invite to class to discuss the work they do.

- Reason abstractly and quantitatively.
- Construct viable arguments and respond to the reasoning of others.

- Recall and describe key ideas or details from a text read aloud or information presented orally or through other media.
- Ask and answer questions about what a speaker says in order to clarify comprehension, gather additional information, or deepen understanding of a topic or issue.

For example: Students read a text about the life of a person who has made a difference in the world. They ask and answer questions about what a speaker says in order to clarify comprehension, gather additional information, or deepen understanding of a topic or issue.

- Ask and answer questions about what a speaker says in order to clarify comprehension, gather additional information, or deepen understanding of a topic or issue.
- Recall and describe key ideas or details from a text read aloud or information presented orally or through other media.

For example: Students read a text about the life of a person who has made a difference in the world. They ask and answer questions about what a speaker says in order to clarify comprehension, gather additional information, or deepen understanding of a topic or issue.

- Tell a story, recount an experience, or explain how to solve a mathematical problem with appropriate facts and relevant, descriptive details, speaking audibly in coherent sentences and using appropriate vocabulary. (See grade 2 Language Standards 4-6 for specific expectations regarding vocabulary.)
- Reason abstractly and quantitatively.

- Construct viable arguments and respond to the reasoning of others.
- Attend to precision.

- Create audio recordings of stories or poems; add drawings or other visual displays to stories or descriptions of experiences when appropriate to clarify ideas, thoughts, and feelings.
- Produce complete sentences when appropriate to task and situation in order to provide requested detail or clarification. (See grade 2 Language Standards 1 and 3 for specific expectations.)

Grade 2 Language Standards [L]

The following standards offer a focus for instruction each year to help ensure that students gain adequate mastery of a range of skills and applications. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades. For example, though sentence fragments may receive the most attention in grade 4, more nuanced discussions of the topic should develop throughout the later grades as students continue to analyze speakers' and authors' sentence structure, vary syntax for effect in their own speaking and writing, and more.

Conventions of Standard English

- Demonstrate command of the conventions of standard English grammar and usage when writing or speaking; retain and further develop language skills learned in previous grades.
- Produce and expand complete simple and compound declarative, interrogative, imperative, and exclamatory sentences and choose among sentence types depending on the meaning to be conveyed.

- Use adjectives and adverbs in sentences and choose between them depending on what is to be modified.
- Form and use the past tense of frequently occurring irregular verbs.

- Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing.
a. Print upper- and lowercase letters legibly and fluently.
b. Capitalize holidays, product names, and geographic names.
c. Use commas in greetings and closings of letters.
d. Use an apostrophe to form contractions and frequently occurring possessives.
e. Generalize learned spelling patterns when writing words (e.g., *cege* → *badge*; *boy* → *boil*).
f. Consult reference materials, including beginning dictionaries, as needed to check and correct spellings.

- Demonstrate understanding that context determines whether the writer uses a numeral or a written number (e.g., numerals in 1 + 3 = 4, but written words in "When I was one, I was just begun," "When I was two, I was still quite new" from A. A. Milne's poem "How We Are Six").

Knowledge of Language

- Use knowledge of language and its conventions when writing, speaking, reading, or listening.
a. Compare formal and informal uses of English.

Vocabulary Acquisition and Use

- Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 2 reading and content, choosing flexibly from an array of strategies.
a. Use sentence-level context as a clue to the meaning of a word or phrase.
b. Determine the meaning of the new word formed when a known prefix is added to a known word (e.g., *happy/unhappy*, *tear/fretful*).
c. Use a known root word as a clue to the meaning of an unknown word with the same root (e.g., *edition*, *additional*).
d. Use knowledge of the meaning of individual words to predict the meaning of compound words (e.g., *birdhouse*, *lighthouse*, *housefly*; *bookshelf*, *notebook*, *bookmark*).
e. Use glossaries and beginning dictionaries, both print and digital, to determine or clarify the meaning of words and phrases.

- Recognize and use appropriately abbreviations related to grade-level content or commonly used in everyday life (e.g., *a.m.*, *p.m.*).
- Recognize and use appropriately symbols related to grade-level content or commonly used in everyday life (e.g., *U.S.*, *Q*).

- Demonstrate understanding of word relationships and nuances in word meanings.
a. Identify real-life connections between words and their use (e.g., describe foods that are spicy or juicy).
b. Distinguish shades of meaning among closely related words (e.g., *fast*, *throw*, *hurt*) and closely related adjectives (e.g., *slender*, *skinny*, *scrawny*).

- Use words and phrases acquired through conversations, activities in the grade 2 curriculum, reading and being read to, and responding to texts, including using adjectives and adverbs to describe. (See grade 2 Reading Literature Standard 4 and Reading Informational Text Standard 4 on applying knowledge of vocabulary to reading; see grade 2 Writing Standard 5 and Speaking and Listening Standard 4 on strengthening writing and presentations by applying knowledge of vocabulary.)

- Recognize and use appropriately abbreviations related to grade-level content or commonly used in everyday life (e.g., *a.m.*, *p.m.*).
- Recognize and use appropriately symbols related to grade-level content or commonly used in everyday life (e.g., *U.S.*, *Q*).

- Demonstrate understanding of word relationships and nuances in word meanings.
a. Identify real-life connections between words and their use (e.g., describe foods that are spicy or juicy).
b. Distinguish shades of meaning among closely related words (e.g., *fast*, *throw*, *hurt*) and closely related adjectives (e.g., *slender*, *skinny*, *scrawny*).

- Use words and phrases acquired through conversations, activities in the grade 2 curriculum, reading and being read to, and responding to texts, including using adjectives and adverbs to describe. (See grade 2 Reading Literature Standard 4 and Reading Informational Text Standard 4 on applying knowledge of vocabulary to reading; see grade 2 Writing Standard 5 and Speaking and Listening Standard 4 on strengthening writing and presentations by applying knowledge of vocabulary.)

- Recognize and use appropriately abbreviations related to grade-level content or commonly used in everyday life (e.g., *a.m.*, *p.m.*).
- Recognize and use appropriately symbols related to grade-level content or commonly used in everyday life (e.g., *U.S.*, *Q*).

- Demonstrate understanding of word relationships and nuances in word meanings.
a. Identify real-life connections between words and their use (e.g., describe foods that are spicy or juicy).
b. Distinguish shades of meaning among closely related words (e.g., *fast*, *throw*, *hurt*) and closely related adjectives (e.g., *slender*, *skinny*, *scrawny*).

- Use words and phrases acquired through conversations, activities in the grade 2 curriculum, reading and being read to, and responding to texts, including using adjectives and adverbs to describe. (See grade 2 Reading Literature Standard 4 and Reading Informational Text Standard 4 on applying knowledge of vocabulary to reading; see grade 2 Writing Standard 5 and Speaking and Listening Standard 4 on strengthening writing and presentations by applying knowledge of vocabulary.)

Speaking and Listening Standards K-5

The following standards for K-5 offer a focus for instruction each year to help ensure that students gain adequate mastery of a range of skills and applications. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades.

Grade 2 students:	Grade 3 students:
Comprehension and Collaboration	Comprehension and Collaboration
1. Participate in collaborative conversations with diverse partners about grade 2 topics and texts with peers and adults in small and larger groups. a. Follow agreed-upon rules for discussions (e.g., gaining the floor in respectful ways, listening to others with care, speaking one at a time about the topics and texts under discussion). b. Build on others' talk in conversations by linking their comments to the remarks of others. c. Ask for clarification and further explanation as needed about the topics and texts under discussion.	1. Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on grade 3 topics and texts, building on others' ideas and expressing their own clearly. a. Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topics and texts under discussion. b. Follow agreed-upon rules for discussions (e.g., gaining the floor in respectful ways, listening to others with care, speaking one at a time about the topics and texts under discussion). c. Ask questions to check understanding of information presented, stay on topic, and link their comments to the remarks of others. d. Explain their own ideas and understanding in light of the discussion.
2. Recount or describe key ideas or details from a text read aloud or information presented orally or through other media.	2. Determine the main ideas and supporting details of a text read aloud or information presented in diverse media and formats, including visually, quantitatively, and orally.
3. Ask and answer questions about what a speaker says in order to clarify comprehension, gather additional information, or deepen understanding of a topic or issue.	3. Ask and answer questions about information from a speaker, offering appropriate elaboration and detail.
Presentation of Knowledge and Ideas	Presentation of Knowledge and Ideas
4. Tell a story or recount an experience with appropriate facts and relevant, descriptive details, speaking audibly in coherent sentences and using appropriate vocabulary. (See grade 2 Language Standards 4-6 for specific expectations regarding vocabulary.)	4. Report on a topic or text, tell a story, or recount an experience with appropriate facts and relevant, descriptive details, speaking clearly at an understandable pace.
5. Produce complete sentences when appropriate to task and situation in order to provide requested detail or clarification. (See grade 2 Language Standards 1 and 3 for specific expectations.)	5. Create engaging audio recordings of stories or poems that demonstrate fluid reading at an understandable pace; add visual displays when appropriate to emphasize or enhance certain facts or details.
6. Produce complete sentences when appropriate to task and situation in order to provide requested detail or clarification. (See grade 2 Language Standards 1 and 3 for specific expectations.)	6. Speak in complete sentences when appropriate to task and situation in order to provide requested detail or clarification. (See grade 3 Language Standards 1 and 3 for specific expectations.)

Language Standards K-5

The following standards for grades K-5 offer a focus for instruction each year to help ensure that students gain adequate mastery of a range of skills and applications. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades. Beginning in grade 3, skills and understandings that are particularly likely to require continued attention in higher grades as they are applied to increasingly sophisticated writing and speaking are marked with an asterisk (*). See the table on page 30 for a complete list and Appendix A for an example of how these skills develop in sophistication.

Grade 2 students:	Grade 3 students:
Conventions of Standard English	Conventions of Standard English
1. Demonstrate command of the conventions of standard English grammar and usage when writing or speaking. a. Use collective nouns (e.g., <i>group</i>). b. Form and use frequently occurring irregular plural nouns (e.g., <i>feet</i> , <i>children</i> , <i>teeth</i> , <i>nice</i> , <i>fun</i>). c. Use reflexive pronouns (e.g., <i>myself</i> , <i>ourselves</i>). d. Form and use the past tense of frequently occurring irregular verbs (e.g., <i>sat</i> , <i>hid</i> , <i>tot</i>). e. Use adjectives and adverbs, and choose between them depending on what is to be modified. f. Produce, expand, and rearrange complete simple and compound sentences (e.g., <i>The boy watched the movie. The little boy watched the movie. The action movie was watched by the little boy</i>).	1. Demonstrate command of the conventions of standard English grammar and usage when writing or speaking. a. Explain the function of nouns, pronouns, verbs, adjectives, and adverbs in general and their functions in particular sentences. b. Form and use regular and irregular plural nouns. c. Use abstract nouns (e.g., <i>childhood</i>). d. Form and use regular and irregular verbs. e. Form and use the simple (e.g., <i>walked</i> / <i>walk</i> ; <i>will walk</i>) verb tenses. f. Ensure subject-verb and pronoun-antecedent agreement. g. Form and use comparative and superlative adjectives and adverbs, and choose between them depending on what is to be modified. h. Use coordinating and subordinating conjunctions. i. Produce simple, compound, and complex sentences.
2. Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing. a. Capitalize appropriate words in titles. b. Use commas in addresses. c. Use commas and quotation marks in dialogue. d. Form and use possessives. e. Use conventional spelling for high-frequency and other studied words and for adding suffixes to base words (e.g., <i>sitting</i> , <i>smiled</i> , <i>cries</i> , <i>happiness</i>). f. Use spelling patterns and generalizations (e.g., word families, position-based spellings, syllable patterns, ending rules, meaningful word parts) in writing words. g. Consult reference materials, including beginning dictionaries, as needed to check and correct spellings.	2. Demonstrate command of the conventions of standard English capitalization, punctuation, and spelling when writing. a. Capitalize appropriate words in titles. b. Use commas in addresses. c. Use commas and quotation marks in dialogue. d. Form and use possessives. e. Use conventional spelling for high-frequency and other studied words and for adding suffixes to base words (e.g., <i>sitting</i> , <i>smiled</i> , <i>cries</i> , <i>happiness</i>). f. Use spelling patterns and generalizations (e.g., word families, position-based spellings, syllable patterns, ending rules, meaningful word parts) in writing words. g. Consult reference materials, including beginning dictionaries, as needed to check and correct spellings.
Knowledge of Language	Knowledge of Language
3. Use knowledge of language and its conventions when writing, speaking, reading, or listening. a. Compare formal and informal uses of English.	3. Use knowledge of language and its conventions when writing, speaking, reading, or listening. a. Choose words and phrases for effect.* b. Recognize and observe differences between the conventions of spoken and written standard English.
Vocabulary Acquisition and Use	Vocabulary Acquisition and Use
4. Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 2 reading and content, choosing flexibly from an array of strategies. a. Use sentence-level context as a clue to the meaning of a word or phrase. b. Determine the meaning of the new word formed when a known prefix is added to a known word (e.g., <i>happy/unhappy</i> , <i>tear/fretful</i>). c. Use a known root word as a clue to the meaning of an unknown word with the same root (e.g., <i>edition</i> , <i>additional</i>). d. Use knowledge of the meaning of individual words to predict the meaning of compound words (e.g., <i>birdhouse</i> , <i>lighthouse</i> , <i>housefly</i> ; <i>bookshelf</i> , <i>notebook</i> , <i>bookmark</i>). e. Use glossaries and beginning dictionaries, both print and digital, to determine or clarify the meaning of words and phrases.	4. Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 3 reading and content, choosing flexibly from a range of strategies. a. Use sentence-level context as a clue to the meaning of a word or phrase. b. Determine the meaning of the new word formed when a known prefix is added to a known word (e.g., <i>happy/unhappy</i> , <i>tear/fretful</i>). c. Use a known root word as a clue to the meaning of an unknown word with the same root (e.g., <i>edition</i> , <i>additional</i>). d. Use knowledge of the meaning of individual words to predict the meaning of compound words (e.g., <i>birdhouse</i> , <i>lighthouse</i> , <i>housefly</i> ; <i>bookshelf</i> , <i>notebook</i> , <i>bookmark</i>). e. Use glossaries and beginning dictionaries, both print and digital, to determine or clarify the meaning of words and phrases.
5. Demonstrate understanding of word relationships and nuances in word meanings. a. Identify real-life connections between words and their use (e.g., describe foods that are spicy or juicy). b. Distinguish shades of meaning among closely related words (e.g., <i>fast</i> , <i>throw</i> , <i>hurt</i>) and closely related adjectives (e.g., <i>slender</i> , <i>skinny</i> , <i>scrawny</i>).	5. Demonstrate understanding of word relationships and nuances in word meanings. a. Distinguish the literal and nonliteral meanings of words and phrases in context (e.g., <i>take steps</i>). b. Identify real-life connections between words and their use (e.g., describe people who are friendly or helpful). c. Distinguish shades of meaning among related words that describe states of mind or degrees of certainty (e.g., <i>knew</i> , <i>believed</i> , <i>suspected</i> , <i>heard</i> , <i>wondered</i>).
6. Use words and phrases acquired through conversations, activities in the grade 2 curriculum, reading and being read to, and responding to texts, including using adjectives and adverbs to describe. (See grade 2 Reading Literature Standard 4 and Reading Informational Text Standard 4 on applying knowledge of vocabulary to reading; see grade 2 Writing Standard 5 and Speaking and Listening Standard 4 on strengthening writing and presentations by applying knowledge of vocabulary.)	6. Acquire and use accurately grade-appropriate conversational, general academic, and domain-specific words and phrases, including those that signal spatial and temporal relationships (e.g., <i>signal spatial and temporal relationships</i>). a. Distinguish the literal and nonliteral meanings of words and phrases in context (e.g., <i>take steps</i>). b. Identify real-life connections between words and their use (e.g., describe people who are friendly or helpful). c. Distinguish shades of meaning among related words that describe states of mind or degrees of certainty (e.g., <i>knew</i> , <i>believed</i> , <i>suspected</i> , <i>heard</i> , <i>wondered</i>).

Grade 3 Writing Standards [W]

The following standards offer a focus for instruction each year to help ensure that students gain adequate mastery of a range of skills and applications. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades. The expected growth in student writing ability is reflected both in the standards themselves and in the collections of annotated student writing samples in **Appendix C of the Common Core State Standards** and the **Massachusetts Writing Standards in Action Project**.

Text Types and Purposes

Notes: The intent of Writing Standards 1-3 is to ensure flexibility, not rigidity, in student writing. Many effective pieces of writing blend elements of more than one text type in service of a single purpose: for example, an argument may rely on anecdotal evidence, a short story may function to explain some phenomenon, or a literary analysis may use explanation to develop an argument. In addition, each of the three types of writing is itself a broad category encompassing a variety of texts: for example, narrative poems, short stories, and memoirs represent three distinct forms of narrative writing. Finally, although the bulk of writing assigned in school should be for purposes described below, other forms of writing—for example, lists and notes, descriptive letters, personal reflections—should have a place in the classroom as well. To develop flexibility and nuance in their own writing, students need to engage with a wide range of complex model texts (see Reading Literature Standard 10 and Reading Informational Text Standard 10) and study authors who have written successfully across genres (see **Appendix B: A Literary Heritage**).

- Write opinion pieces on topics or texts, supporting an opinion with reasons.
a. Introduce the topic or text they are writing about, state an opinion, and create an organizational structure that lists reasons.
b. Provide reasons that support the opinion.
c. Use linking words and phrases (e.g., *because*, *therefore*, *since*, *for example*) to connect opinion and reasons.
d. Provide a concluding statement or section.

For example: Students keep a math journal in which they record prepared solutions to word problems in addition and subtraction. They use drawings, write equations, and written sentences to argue why 8 is the correct answer to a problem such as "If there are 13 cookies in the bowl and 7 are eaten, how many remain?"

- Write informative/explanatory texts to examine a topic and convey ideas and information clearly.
a. Introduce a topic and group related information together; include illustrations when useful to adding comprehension.
b. Develop the topic with facts, definitions, and details.
c. Use linking words and phrases (e.g., *also*, *another*, *and*, *more*, *but*) to connect ideas within categories of information.
d. Provide a concluding statement or section.

For example: Students keep a math journal in which they record prepared solutions to word problems in addition and subtraction. They use drawings, write equations, and written sentences to argue why 8 is the correct answer to a problem such as "If there are 13 cookies in the bowl and 7 are eaten, how many remain?"

- Write narratives in which they recount a well-elaborated event or short sequence of events, include details to describe actions, thoughts, and feelings, use temporal words to signal event order, and provide a sense of closure.

For example: Students keep a math journal in which they record prepared solutions to word problems in addition and subtraction. They use drawings, write equations, and written sentences to argue why 8 is the correct answer to a problem such as "If there are 13 cookies in the bowl and 7 are eaten, how many remain?"

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a. Introduce a topic and group related information together; include illustrations when useful to adding comprehension.
b. Develop the topic with facts, definitions, and details.
c. Use linking words and phrases (e.g., *also*, *another*, *and*, *more*

Grade 2 Reading Standards

Grade 2 Reading Standards for Literature [RL]

The following standards offer a focus for instruction each year and help ensure that students gain adequate exposure to a range of texts and tasks. Rigor is also infused through the requirement that students read increasingly complex texts through the grades. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades.

Key Ideas and Details

1. Ask and answer such questions as who, what, where, when, why, and how to demonstrate understanding of key details in a text.
2. Retell stories, including fables and folktales from diverse cultures, and determine their central message, lesson, or moral.
3. Describe how characters in a story respond to major events and challenges.

Craft and Structure

4. Describe how words and phrases (e.g., regular beats, alliteration, rhymes, repeated lines) supply rhythm and meaning in a story, poem, or song. (See grade 2 Language Standards 4–6 on applying knowledge of vocabulary to reading.)
For example, students from the traditional nursery rhyme "As I was going to St. Ives" and point out how its repetitions of sounds affect the meaning and help them find the answer to the mathematical puzzle posed by the speaker in the poem. (RI.2.4, RI.2.5, RI.2.6)
5. Describe the overall structure of a story, including describing how the beginning introduces the story and the ending concludes the action.
6. Explain what dialogue is and how it can reveal characters' thoughts and perspectives.

Integration of Knowledge and Ideas

7. Use information gained from the illustrations and words in a print or digital text to demonstrate understanding of its characters, setting, or plot.
8. (Not applicable. For expectations regarding central messages, lessons, or morals in stories, see RL.2.)
9. Compare and contrast two or more versions of the same story (e.g., Cinderella stories) by different authors or from different cultures.

Range of Reading and Level of Text Complexity

10. Independently and proficiently read and comprehend literary texts representing a variety of genres, cultures, and perspectives and exhibiting complexity appropriate for at least grade 2. (See more on qualitative and quantitative dimensions of text complexity.)

G.2 Reading Standards for Literature K–5

The following standards offer a focus for instruction each year and help ensure that students gain adequate exposure to a range of texts and tasks. Rigor is also infused through the requirement that students read increasingly complex texts through the grades. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades.

Reading Standards for Literature

Grade 2 students:
Key Ideas and Details
1. Ask and answer such questions as who, what, where, when, why, and how to demonstrate understanding of key details in a text.
2. Recount stories, including fables and folktales from diverse cultures, and determine their central message, lesson, or moral.
3. Describe how characters in a story respond to major events and challenges.
Craft and Structure
4. Describe how words and phrases (e.g., regular beats, alliteration, rhymes, repeated lines) supply rhythm and meaning in a story, poem, or song.
5. Describe the overall structure of a story, including describing how the beginning introduces the story and the ending concludes the action.
6. Acknowledge differences in the points of view of characters, including by speaking in a different voice for each character when reading dialogue aloud.
Integration of Knowledge and Ideas
7. Use information gained from the illustrations and words in a print or digital text to demonstrate understanding of its characters, setting, or plot.
8. (Not applicable to literature)
9. Compare and contrast two or more versions of the same story (e.g., Cinderella stories) by different authors or from different cultures.
Range of Reading and Level of Text Complexity
10. By the end of the year, read and comprehend literature, including stories and poetry, in the grades 2–3 text complexity band proficiently, with scaffolding as needed at the high end of the range.

Grade 3 students:
Key Ideas and Details
1. Ask and answer questions to demonstrate understanding of a text, referring explicitly to the text as the basis for the answers.
2. Recount stories, including fables, folktales, and myths from diverse cultures; determine the central message, lesson, or moral and explain how it is conveyed through key details in the text.
3. Describe characters in a story (e.g., their traits, motivations, or feelings) and explain how their actions contribute to the sequence of events.
Craft and Structure
4. Determine the meaning of words and phrases as they are used in a text; distinguishing literal from nonliteral language.
5. Refer to parts of stories, dramas, and poems when writing or speaking about a text; using terms such as chapter, scene, and stanza; describe how each successive part builds on earlier sections.
6. Distinguish their own point of view from that of the narrator or those of the characters.
Integration of Knowledge and Ideas
7. Explain how specific aspects of a text's illustrations contribute to what is conveyed by the words in a story (e.g., create mood, emphasize aspects of a character or setting).
8. (Not applicable to literature)
9. Compare and contrast the themes, settings, and plots of stories written by the same author about the same or similar characters (e.g., in books from a series).
Range of Reading and Level of Text Complexity
10. By the end of the year, read and comprehend literature, including stories, dramas, and poetry, at the high end of the grades 2–3 text complexity band independently and proficiently.

Grade 3 Reading Standards

Grade 3 Reading Standards for Literature [RL]

The following standards offer a focus for instruction each year and help ensure that students gain adequate exposure to a range of texts and tasks. Rigor is also infused through the requirement that students read increasingly complex texts through the grades. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades.

Key Ideas and Details

1. Ask and answer questions to demonstrate understanding of a text, referring explicitly to the text as the basis for the answers.
2. Retell stories, including fables, folktales, and myths from diverse cultures; determine the central message, lesson, or moral and explain how it is conveyed through key details in a text.
For example, students read versions of certain fables attributed to Aesop, determine how the stories can be told differently, yet have the same moral. Then they read a collection of modern fables, told mostly in dialogue, by Arnold Lobel. Students practice reading the fables aloud in pairs to develop fluency and expression, and then write a script from a fable to perform. By the end of the unit, students can explain what fables are, why they have endured over thousands of years, and how they reflect human experience. (RI.3.2, RI.3.3, RI.3.4, RI.3.5, RI.3.6)
3. Describe characters in a story (e.g., their traits, motivations, or feelings) and explain how their actions contribute to the sequence of events.

Craft and Structure

4. Determine the meaning of words and phrases as they are used in a text, distinguishing literal from figurative language. (See grade 3 Language Standards 4–6 on applying knowledge of vocabulary to reading.)
5. Identify common structural elements of fiction (e.g., problem, solution); describe how each successive part of a text builds on earlier sections.
6. Distinguish their own point of view from that of a text's narrator or those of its characters.

Integration of Knowledge and Ideas

7. Explain how specific aspects of a text's illustrations contribute to what is conveyed by the words in a story (e.g., create mood, emphasize aspects of a character or setting).
8. (Not applicable. For expectations regarding central messages, lessons, or morals in stories, see RL.2.)
9. Compare and contrast the themes, settings, and plots of stories written by the same author about the same or similar characters (e.g., in books from a series).

Range of Reading and Level of Text Complexity

10. Independently and proficiently read and comprehend literary texts representing a variety of genres, cultures, and perspectives and exhibiting complexity appropriate for at least grade 3. (See more on qualitative and quantitative dimensions of text complexity.)

Grade 2 Reading Standards for Informational Text [RI]

Key Ideas and Details

1. Ask and answer such questions as who, what, where, when, why, and how to demonstrate understanding of key details in a text.
2. Identify the main topic of a multiparagraph text as well as the focus of specific paragraphs within the text.
3. Describe the connection between a series of historical events, scientific ideas or concepts, mathematical ideas or concepts, or steps in technical procedures in a text.
For example, as they are learning to subtract numbers within 1,000 in math, students read State Transition by Stuart Murphy and use mathematical reasoning to keep track of how many laps the swim team members swim each in order to predict whether or not the swimmers will make their goal.

Craft and Structure

4. Determine the meaning of words and phrases in a text relevant to a grade 2 topic or subject area. (See grade 2 Language Standards 4–6 on applying knowledge of vocabulary to reading.)
5. Know and use various text features (e.g., captions, bold print, subheadings, glossaries, indexes, electronic menus, icons) to locate key facts or information in a text efficiently.
6. Identify the main purpose of a text, including what the author wants to answer, explain, or describe.

Integration of Knowledge and Ideas

7. Explain how specific images (e.g., a diagram showing how a machine works) contribute to and clarify a text.
For example, in a social studies unit on understanding the information in different types of maps and how to use a world atlas, students compare the physical geography of North America and Africa. They interpret maps and read how geography influenced the life of a Kenyan woman who used her knowledge to restore fertility to the land. Among the books they read at different levels of complexity are Wangari's Trees of Peace: A True Story from Africa by Jeanette Winter, Seeds of Change: Wangari's Gift to the World by Jean Gustin, and Planting the Trees of Kenya, the Story of Wangari Maathai by Claire Kirobo. (RI.2.1, RI.2.7, RI.2.8)
8. Describe how reasons support specific points the author makes in a text.
9. Compare and contrast the most important points presented by two texts on the same topic.

Range of Reading and Level of Text Complexity

10. Independently and proficiently read and comprehend informational texts, including history/social studies, science, mathematical, and technical texts, exhibiting complexity appropriate for at least grade 2. (See more on qualitative and quantitative dimensions of text complexity.)

Reading Standards for Informational Text K–5

Grade 2 students:
Key Ideas and Details
1. Ask and answer such questions as who, what, where, when, why, and how to demonstrate understanding of key details in a text.
2. Identify the main topic of a multiparagraph text as well as the focus of specific paragraphs within the text.
3. Describe the connection between a series of historical events, scientific ideas or concepts, or steps in technical procedures in a text.
Craft and Structure
4. Determine the meaning of words and phrases in a text relevant to a grade 2 topic or subject area.
5. Know and use various text features (e.g., captions, bold print, subheadings, glossaries, indexes, electronic menus, icons) to locate key facts or information in a text efficiently.
6. Identify the main purpose of a text, including what the author wants to answer, explain, or describe.
Integration of Knowledge and Ideas
7. Explain how specific images (e.g., a diagram showing how a machine works) contribute to and clarify a text.
8. Describe how reasons support specific points the author makes in a text.
9. Compare and contrast the most important points presented by two texts on the same topic.
Range of Reading and Level of Text Complexity
10. By the end of the year, read and comprehend informational texts, including history/social studies, science, and technical texts, in the grades 2–3 text complexity band proficiently, with scaffolding as needed at the high end of the range.

Grade 3 students:
Key Ideas and Details
1. Ask and answer questions to demonstrate understanding of a text, referring explicitly to the text as the basis for the answers.
2. Determine the main idea of a text; recount the key details and explain how they support the main idea.
3. Describe the relationship between a series of historical events, scientific ideas or concepts, or steps in technical procedures in a text; using language that pertains to time, sequence, and cause/effect.
Craft and Structure
4. Determine the meaning of general academic and domain-specific words and phrases in a text relevant to a grade 3 topic or subject area.
5. Use text features and search tools (e.g., key words, sidebars, hyperlinks) to locate information relevant to a given topic efficiently.
6. Distinguish their own point of view from that of the author of a text.
Integration of Knowledge and Ideas
7. Use information gained from illustrations (e.g., maps, photographs) and the words in a text to demonstrate understanding of the text (e.g., where, when, why, and how key events occur).
8. Describe the logical connection between particular sentences and paragraphs in a text (e.g., comparison, cause/effect, first/second/third in a sequence).
9. Compare and contrast the most important points and key details presented in two texts on the same topic.
Range of Reading and Level of Text Complexity
10. By the end of the year, read and comprehend informational texts, including history/social studies, science, and technical texts, at the high end of the grades 2–3 text complexity band independently and proficiently.

Grade 3 Reading Standards for Informational Text [RI]

Key Ideas and Details

1. Ask and answer questions to demonstrate understanding of a text, referring explicitly to the text as the basis for the answers.
 2. Determine the main idea of a text; recount the key details and explain how they support the main idea.
 3. Describe the relationship between a series of historical events, scientific ideas or concepts, mathematical ideas or concepts, or steps in technical procedures in a text, using language that pertains to time, sequence, and cause/effect.
- Craft and Structure**
4. Determine the meaning of general academic and domain-specific words and phrases in a text relevant to a grade 3 topic or subject area. (See grade 3 Language Standards 4–6 on applying knowledge of vocabulary to reading.)
 5. Use text features and search tools (e.g., key words, sidebars, hyperlinks) to locate information relevant to a given topic efficiently.
- For example, students apply the characteristics and text features of informational texts. Then they develop a research question about a topic of interest, conduct research to locate information, and write a report that uses the text features they have studied—such as a table of contents, headings and subheadings, informative illustrations, sidebars, and glossary. (RI.3.5, RI.3.6, RI.3.7)*
6. Distinguish their own point of view from that of the author of a text.

Integration of Knowledge and Ideas

7. Use information gained from illustrations (e.g., maps, photographs) and the words, numbers, and symbols in a text to demonstrate understanding of the text (e.g., where, when, why, and how key events occur).
Connections to the Standards for Mathematical Practice
2. Reason abstractly and quantitatively.
6. Attend to precision.
See the RI-K-5 resource section in this Framework or the Massachusetts Curriculum Framework for Mathematics.
8. Describe the logical connection between particular sentences and paragraphs in a text (e.g., comparison, cause/effect, first/second/third in a sequence).
9. Compare and contrast the most important points and key details presented in two texts on the same topic.

Range of Reading and Level of Text Complexity

10. Independently and proficiently read and comprehend informational texts, including history/social studies, science, mathematical, and technical texts, exhibiting complexity appropriate for at least grade 3. (See more on qualitative and quantitative dimensions of text complexity.)

G.2 Reading Standards: Foundational Skills (K–5)

These standards are directed toward fostering students' understanding and working knowledge of concepts of print, the alphabetic principle, and other basic conventions of the English writing system. These foundational skills are not an end in and of themselves; rather, they are necessary and important components of an effective, comprehensive reading program designed to develop proficient readers with the capacity to comprehend texts across a range of types and disciplines. Instruction should be differentiated: good readers will need much less practice with these concepts than struggling readers will. The point is to teach students what they need to learn and not what they already know—to discern when particular children or activities warrant more or less attention.

Reading Standards: Foundational Skills (K–5)

Grade 2 students:
Phonics and Word Recognition
3. Know and apply grade-level phonics and word analysis skills in decoding words.
a. Distinguish long and short vowels when reading regularly spelled one-syllable words.
b. Know spelling-sound correspondences for additional common vowel teams.
c. Decode regularly spelled two-syllable words with long vowels.
d. Decode words with common prefixes and suffixes.
e. Identify words with inconsistent but common spelling-sound correspondences.
f. Recognize and read grade-appropriate irregularly spelled words.
Fluency
4. Read with sufficient accuracy and fluency to support comprehension.
a. Read grade-level text with purpose and understanding.
b. Read grade-level text orally with accuracy, appropriate rate, and expression on successive readings.
c. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

Grade 3 students:
Phonics and Word Recognition
3. Know and apply grade-level phonics and word analysis skills in decoding words.
a. Identify and know the meaning of the most common prefixes and derivational suffixes.
b. Decode words with common Latin suffixes.
c. Decode multisyllable words.
d. Read grade-appropriate irregularly spelled words.
Fluency
4. Read with sufficient accuracy and fluency to support comprehension.
a. Read grade-level text with purpose and understanding.
b. Read grade-level prose and poetry orally with accuracy, appropriate rate, and expression on successive readings.
c. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

Grade 2 Reading Standards for Foundational Skills [RF]

These standards are directed toward fostering students' understanding and working knowledge of concepts of print, the alphabetic principle, and other basic conventions of the English writing system. A research- and evidence-based scope and sequence for phonological and phonics development and the complete range of foundational skills are not ends in and of themselves. They are necessary and important components of an effective, comprehensive reading curriculum designed to develop proficient readers with the capacity to comprehend texts across a range of types and disciplines. Instruction should be differentiated: as students become skilled readers, they will need much less practice with these concepts. Struggling readers may need more or different kinds of practice. The point is to teach students what they need to learn and not what they already know—to discern when particular children or activities warrant more or less attention.

Note: RF.1 and RF.2, on print concepts and phonological awareness, apply only to pre-kindergarten, kindergarten, and grade 1.

Phonics and Word Recognition

3. Know and apply grade-level phonics and word analysis skills in decoding words.
- a. Distinguish long and short vowels when reading regularly spelled one-syllable words.
- b. Know spelling-sound correspondences for additional common vowel teams.
- c. Decode regularly spelled two-syllable words with long vowels.
- d. Decode words with common prefixes and suffixes.
- e. Identify words with inconsistent but common spelling-sound correspondences.
- f. Recognize and read grade-appropriate irregularly spelled words.

Fluency

4. Read with sufficient accuracy and fluency to support comprehension.
- a. Read grade-level text with purpose and understanding.
- b. Read grade-level text orally with accuracy, appropriate rate, and expression on successive readings.
- c. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

Grade 3 Reading Standards for Foundational Skills [RF]

These standards are directed toward fostering students' understanding and working knowledge of concepts of print, the alphabetic principle, and other basic conventions of the English writing system. A research- and evidence-based scope and sequence for phonological and phonics development and the complete range of foundational skills are not ends in and of themselves. They are necessary and important components of an effective, comprehensive reading curriculum designed to develop proficient readers with the capacity to comprehend texts across a range of types and disciplines. Instruction should be differentiated: as students become skilled readers, they will need much less practice with these concepts. Struggling readers may need more or different kinds of practice. The point is to teach students what they need to learn and not what they already know—to discern when particular children or activities warrant more or less attention.

Note: RF.1 and RF.2, on print concepts and phonological awareness, apply only to pre-kindergarten, kindergarten, and grade 1.

Phonics and Word Recognition

3. Know and apply grade-level phonics and word analysis skills in decoding words.
- a. Identify and know the meaning of the most common prefixes and derivational suffixes.
- b. Decode words with common Latin suffixes.
- c. Decode multisyllable words.
- d. Read grade-appropriate irregularly spelled words.

Fluency

4. Read with sufficient accuracy and fluency to support comprehension.
- a. Read grade-level text with purpose and understanding.
- b. Read grade-level prose and poetry orally with accuracy, appropriate rate, and expression on successive readings.
- c. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

Grade 4 Reading Standards

Grade 4 Reading Standards for Literature [RL]

The following standards offer a focus for instruction each year and help ensure that students gain adequate exposure to a range of texts and tasks. Rigor is also infused through the requirement that students read increasingly complex texts through the grades. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades.

Key Ideas and Details

1. Refer to details and examples in a text when explaining what the text states explicitly and when drawing inferences from the text.
For example, students read Natalie Babbitt's novel Tuck Everlasting and select paragraphs and sentences in the novel in which the reader is given hints about the mysterious qualities of the spring water that has given eternal life to the members of the Tuck family. They pay particular attention to how Babbitt's use of metaphors and images gives richness to the text. (RI.4.3, RI.4.2, RI.4.4, L.4.5)
2. Determine a theme of a story, drama, or poem from details in the text; summarize a text.
3. Describe in depth a character, setting, or event in a story or drama, drawing on specific details in the text (e.g., a character's thoughts, words, or actions).

Craft and Structure

4. Determine the meaning of words and phrases as they are used in a text, including those that allude to significant characters found in mythology (e.g., Herculean); explain how figurative language (e.g., simile, metaphor) enriches a text. (See grade 4 Language Standards 4–6 on applying knowledge of vocabulary to reading.)
5. Explain major differences among prose, poetry, and drama and refer to the structural elements of each (e.g., paragraphs and chapters for prose; stanza and verse for poetry; scene, stage directions, cast of characters for drama) when writing or speaking about a text.
6. Compare and contrast the points of view from which different stories are narrated, including the difference between first- and third-person narrations.

Integration of Knowledge and Ideas

7. Make connections between a written story or drama and its visual or oral presentation, identifying where the presentation reflects specific descriptions and directions in the written text.
8. (Not applicable. For expectations regarding themes in literary texts, see RL.2.)
9. Compare and contrast the treatment of similar themes and topics (e.g., opposition of good and evil) and patterns of events (e.g., the quest) in stories, myths, and traditional literature from different cultures.

Range of Reading and Level of Text Complexity

10. Independently and proficiently read and comprehend literary texts representing a variety of genres, cultures, and perspectives and exhibiting complexity appropriate for at least grade 4. (See [more on qualitative and quantitative dimensions of text complexity](#).)

Grade 4 Reading Standards for Informational Text [RI]

Key Ideas and Details

1. Refer to details and examples in a text when explaining what the text states explicitly and when drawing inferences from the text.
2. Determine the main idea of a text and explain how it is supported by key details; summarize a text.
For example, students read parts of I, Columbus, a retelling of entries from Columbus's journal of 1492-93 by Peter and Connie Roop. In pairs, they summarize important facts about Columbus's voyage, arrival, search for gold, failure to understand the treasures on the islands, and return to Spain. They use what they have learned to write reports, which they display in the library. (RI.4.2, RI.4.1, RI.4.4)
3. Explain events, procedures, ideas, or concepts in a historical, scientific, mathematical, or technical text, including what happened and why, based on specific information in the text.

Craft and Structure

4. Determine the meaning of general academic and domain-specific words or phrases in a text relevant to a grade 4 topic or subject area. (See grade 4 Language Standards 4–6 on applying knowledge of vocabulary to reading.)
5. Describe the overall structure (e.g., chronology, comparison, cause/effect, problem/solution) of events, ideas, concepts, or information in a text or part of a text.
6. Compare and contrast a firsthand and secondhand account of the same event or topic; describe the differences in focus and the information provided.

Integration of Knowledge and Ideas

7. Interpret information presented visually, orally, or quantitatively (e.g., in charts, graphs, diagrams, timelines, animations, or interactive elements on webpages) and explain how the information contributes to an understanding of the text in which it appears.
Connections to the Standards for Mathematical Practice
2. Reason abstractly and quantitatively.
6. Attend to precision.
See the [pre-K–5 resource section in this Framework](#) or the Massachusetts Curriculum Framework for Mathematics.
For example, as they are learning about fractions in math, students view an episode of the PBS math series Cyberchase. Characters in the episode must use their knowledge of equivalent fractions to sort through crystals to find the one that contains the most orange. After students view the video, they explain what the characters did to solve the problem, and how the visual models in the animation clarified what equivalent fractions are.
8. Explain how an author uses reasons and evidence to support particular points in a text.
9. Integrate information from two texts on the same topic in order to write or speak knowledgeably about the subject.

Range of Reading and Level of Text Complexity

10. Independently and proficiently read and comprehend informational texts, including history/social studies, science, mathematical, and technical texts, exhibiting complexity appropriate for at least grade 4. (See [more on qualitative and quantitative dimensions of text complexity](#).)

Grade 4 Reading Standards for Foundational Skills [RF]

These standards are directed toward fostering students' understanding and working knowledge of concepts of print, the alphabetic principle, and other basic conventions of the English writing system. A research- and evidence-based scope and sequence for phonological and phonics development and the complete range of foundational skills are not ends in and of themselves. They are necessary and important components of an effective, comprehensive reading curriculum designed to develop proficient readers with the capacity to comprehend texts across a range of types and disciplines. Instruction should be differentiated: as students become skilled readers, they will need much less practice with these concepts. Struggling readers may need more or different kinds of practice. The point is to teach students what they need to learn and not what they already know—to discern when particular children or activities warrant more or less attention.

Note: RF.1 and RF.2, on print concepts and phonological awareness, apply only to pre-kindergarten, kindergarten, and grade 1.

Phonics and Word Recognition

3. Know and apply grade-level phonics and word analysis skills in decoding words.
 - a. Use combined knowledge of all letter-sound correspondences, syllabication patterns, and morphology (e.g., roots and affixes) to read accurately unfamiliar multisyllabic words in context and out of context.

Fluency

4. Read with sufficient accuracy and fluency to support comprehension.
 - a. Read grade-level text with purpose and understanding.
 - b. Read grade-level prose and poetry orally with accuracy, appropriate rate, and expression on successive readings.
 - c. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

4

Reading Standards for Literature K–5

Grade 4 students:	Grade 5 students:
Key Ideas and Details	
1. Refer to details and examples in a text when explaining what the text states explicitly and when drawing inferences from the text.	1. Quote accurately from a text when explaining what the text states explicitly and when drawing inferences from the text.
2. Determine a theme of a story, drama, or poem from details in the text; summarize the text.	2. Determine a theme of a story, drama, or poem from details in the text, including how characters in a story or drama respond to challenges or how the speaker in a poem reflects upon a topic; summarize the text.
3. Describe in depth a character, setting, or event in a story or drama, drawing on specific details in the text (e.g., a character's thoughts, words, or actions).	3. Compare and contrast two or more characters, settings, or events in a story or drama, drawing on specific details in the text (e.g., how characters interact).

Craft and Structure	
4. Determine the meaning of words and phrases as they are used in a text, including those that allude to significant characters found in mythology (e.g., Herculean).	4. Determine the meaning of words and phrases as they are used in a text, including figurative language such as metaphors and similes.
5. Explain major differences between poems, drama, and prose, and refer to the structural elements of poems (e.g., verse, rhythm, meter) and drama (e.g., casts of characters, settings, descriptions, dialogue, stage directions) when writing or speaking about a text.	5. Explain how a series of chapters, scenes, or stanzas fits together to provide the overall structure of a particular story, drama, or poem.
6. Compare and contrast the point of view from which different stories are narrated, including the difference between first- and third-person narrations.	6. Describe how a narrator's or speaker's point of view influences how events are described.

Integration of Knowledge and Ideas	
7. Make connections between the text of a story or drama and a visual or oral presentation of the text, identifying where each version reflects specific descriptions and directions in the text.	7. Analyze how visual and multimedia elements contribute to the meaning, tone, or beauty of a text (e.g., graphic novel, multimedia presentation of fiction, folktale, myth, poem).
8. (Not applicable to literature)	8. (Not applicable to literature)
9. Compare and contrast the treatment of similar themes and topics (e.g., opposition of good and evil) and patterns of events (e.g., the quest) in stories, myths, and traditional literature from different cultures.	9. Compare and contrast stories in the same genre (e.g., mysteries and adventure stories) on their approaches to similar themes and topics.

Range of Reading and Level of Text Complexity	
10. By the end of the year, read and comprehend literature, including stories, dramas, and poetry, in the grades 4–5 text complexity band proficiently, with scaffolding as needed at the high end of the range.	10. By the end of the year, read and comprehend literature, including stories, dramas, and poetry, at the high end of the grades 4–5 text complexity band independently and proficiently.

Reading Standards for Informational Text K–5

Grade 4 students:	Grade 5 students:
Key Ideas and Details	
1. Refer to details and examples in a text when explaining what the text states explicitly and when drawing inferences from the text.	1. Quote accurately from a text when explaining what the text states explicitly and when drawing inferences from the text.
2. Determine the main idea of a text and explain how it is supported by key details; summarize the text.	2. Determine two or more main ideas of a text and explain how they are supported by key details; summarize the text.
3. Explain events, procedures, ideas, or concepts in a historical, scientific, or technical text, including what happened and why, based on specific information in the text.	3. Explain the relationships or interactions between two or more individuals, events, ideas, or concepts in a historical, scientific, or technical text based on specific information in the text.

Craft and Structure	
4. Determine the meaning of general academic and domain-specific words or phrases in a text relevant to a grade 4 topic or subject area.	4. Determine the meaning of general academic and domain-specific words and phrases in a text relevant to a grade 5 topic or subject area.
5. Describe the overall structure (e.g., chronology, comparison, cause/effect, problem/solution) of events, ideas, concepts, or information in a text or part of a text.	5. Compare and contrast the overall structure (e.g., chronology, comparison, cause/effect, problem/solution) of events, ideas, concepts, or information in two or more texts.
6. Compare and contrast a firsthand and secondhand account of the same event or topic; describe the differences in focus and the information provided.	6. Analyze multiple accounts of the same event or topic, noting important similarities and differences in the point of view they represent.

Integration of Knowledge and Ideas	
7. Interpret information presented visually, orally, or quantitatively (e.g., in charts, graphs, diagrams, time lines, animations, or interactive elements on Web pages) and explain how the information contributes to an understanding of the text in which it appears.	7. Draw on information from multiple print or digital sources, demonstrating the ability to locate an answer to a question quickly or to solve a problem efficiently.
8. Explain how an author uses reasons and evidence to support particular points in a text.	8. Explain how an author uses reasons and evidence to support particular points in a text, identifying which reasons and evidence support which point(s).
9. Integrate information from two texts on the same topic in order to write or speak about the subject knowledgeably.	9. Integrate information from several texts on the same topic in order to write or speak about the subject knowledgeably.

Range of Reading and Level of Text Complexity	
10. By the end of year, read and comprehend informational texts, including history/social studies, science, and technical texts, in the grades 4–5 text complexity band proficiently, with scaffolding as needed at the high end of the range.	10. By the end of the year, read and comprehend informational texts, including history/social studies, science, and technical texts, at the high end of the grades 4–5 text complexity band independently and proficiently.

Reading Standards: Foundational Skills (K–5)

Grade 4 students:	Grade 5 students:
Phonics and Word Recognition	
3. Know and apply grade-level phonics and word analysis skills in decoding words. <ol style="list-style-type: none">a. Use combined knowledge of all letter-sound correspondences, syllabication patterns, and morphology (e.g., roots and affixes) to read accurately unfamiliar multisyllabic words in context and out of context.	3. Know and apply grade-level phonics and word analysis skills in decoding words. <ol style="list-style-type: none">a. Use combined knowledge of all letter-sound correspondences, syllabication patterns, and morphology (e.g., roots and affixes) to read accurately unfamiliar multisyllabic words in context and out of context.

Fluency	
4. Read with sufficient accuracy and fluency to support comprehension. <ol style="list-style-type: none">a. Read grade-level text with purpose and understanding.b. Read grade-level prose and poetry orally with accuracy, appropriate rate, and expression on successive readings.c. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.	4. Read with sufficient accuracy and fluency to support comprehension. <ol style="list-style-type: none">a. Read grade-level text with purpose and understanding.b. Read grade-level prose and poetry orally with accuracy, appropriate rate, and expression on successive readings.c. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

Grade 5 Reading Standards

Grade 5 Reading Standards for Literature [RL]

The following standards offer a focus for instruction each year and help ensure that students gain adequate exposure to a range of texts and tasks. Rigor is also infused through the requirement that students read increasingly complex texts through the grades. Students advancing through the grades are expected to meet each year's grade-specific standards and retain or further develop skills and understandings mastered in preceding grades.

Key Ideas and Details

1. Quote or paraphrase a text accurately when explaining what the text states explicitly and when drawing inferences from the text. (See grade 5 Writing Standard 8 for more on paraphrasing.)
2. Determine a theme of a story, drama, or poem from details in the text, including how characters in a story or drama respond to challenges or how the speaker in a poem reflects upon a topic; summarize a text.
For example, students explore the theme "Heroism demands courage and taking risks" in traditional tales such as The Merry Adventures of Robin Hood by Howard Pyle and modern novels such as Bud, Not Buddy by Christopher Paul Curtis.
3. Compare and contrast two or more characters, settings, or events in a story or drama, drawing on specific details in the text (e.g., how characters interact).

Craft and Structure

4. Determine the meaning of words and phrases as they are used in a text; identify and explain the effects of figurative language such as metaphors and similes. (See grade 5 Language Standards 4–6 on applying knowledge of vocabulary to reading.)
5. Explain how a series of chapters, scenes, or stanzas fits together to provide the overall structure of a particular story, drama, or poem.
6. Describe how a narrator's or speaker's point of view influences how events are described in a story, myth, poem, or drama.

Integration of Knowledge and Ideas

7. Analyze how visual and multimedia elements contribute to the meaning, tone, or beauty of a text (e.g., graphic novel; multimedia presentation of fiction, folktale, myth, poem).
8. (Not applicable. For expectations regarding themes in literary texts, see RL.2.)
9. Compare and contrast stories in the same genre (e.g., mysteries or adventure stories) on their approaches to similar themes and topics.

Range of Reading and Level of Text Complexity

10. Independently and proficiently read and comprehend literary texts representing a variety of genres, cultures, and perspectives and exhibiting complexity appropriate for at least grade 5. (See [more on qualitative and quantitative dimensions of text complexity](#).)

Grade 5 Reading Standards for Informational Text [RI]

Key Ideas and Details

1. Quote or paraphrase a text accurately when explaining what the text states explicitly and when drawing inferences from the text. (See grade 5 Writing Standard 8 for more on paraphrasing.)
2. Determine **two** or more main ideas of a text and explain how they are supported by key details; summarize a text.
3. Explain the relationships or interactions between two or more individuals, events, ideas, or concepts in a historical, scientific, mathematical, or technical text based on specific information in the text.
For example, in a social studies unit, students examine the expedition of Lewis and Clark. They analyze primary and secondary sources to determine the historical importance of the journey of the Corps of Discovery, and to build understanding that there can be multiple perspectives on historical events. (RI.5.3, RI.5.6, RI.5.7)

Craft and Structure

4. Determine the meaning of general academic and domain-specific words and phrases in a text relevant to a grade 5 topic or subject area. (See grade 5 Language Standards 4–6 on applying knowledge of vocabulary to reading.)
5. Describe how an author uses one or more structures (e.g., chronology, comparison, cause/effect, problem/solution) of events, to present information in a text.
6. Analyze multiple accounts of the same event or topic, noting important similarities and differences among the points of view they represent.

Integration of Knowledge and Ideas

7. Draw on information from multiple print or digital sources, demonstrating the ability to locate an answer to a question quickly or to solve a problem efficiently.
Connections to the Standards for Mathematical Practice
2. Reason abstractly and quantitatively.
6. Attend to precision.
See the [pre-K–5 resource section in this Framework](#) or the Massachusetts Curriculum Framework for Mathematics.
8. Explain how an author uses reasons and evidence to support particular points in a text, identifying which reasons and evidence support which point(s).
9. Integrate information from several texts on the same topic in order to write or speak knowledgeably about the subject.

Range of Reading and Level of Text Complexity

10. Independently and proficiently read and comprehend informational texts, including history/social studies, science, mathematical, and technical texts, exhibiting complexity appropriate for at least grade 5. (See [more on qualitative and quantitative dimensions of text complexity](#).)

Grade 5 Reading Standards for Foundational Skills [RF]

These standards are directed toward fostering students' understanding and working knowledge of concepts of print, the alphabetic principle, and other basic conventions of the English writing system. A research- and evidence-based scope and sequence for phonological and phonics development and the complete range of foundational skills are not ends in and of themselves. They are necessary and important components of an effective, comprehensive reading curriculum designed to develop proficient readers with the capacity to comprehend texts across a range of types and disciplines. Instruction should be differentiated: as students become skilled readers, they will need much less practice with these concepts. Struggling readers may need more or different kinds of practice. The point is to teach students what they need to learn and not what they already know—to discern when particular children or activities warrant more or less attention.

Note: RF.1 and RF.2, on print concepts and phonological awareness, apply only to pre-kindergarten, kindergarten, and grade 1.

Phonics and Word Recognition

3. Know and apply grade-level phonics and word analysis skills in decoding words.
 - a. Use combined knowledge of all letter-sound correspondences, syllabication patterns, and morphology (e.g., roots and affixes) to read accurately unfamiliar multisyllabic words in context and out of context.

Fluency

4. Read with sufficient accuracy and fluency to support comprehension.
 - a. Read grade-level text with purpose and understanding.
 - b. Read grade-level prose and poetry orally with accuracy, appropriate rate, and expression on successive readings.
 - c. Use context to confirm or self-correct word recognition and understanding, rereading as necessary.

Education Laws and Regulations

603 CMR 2.00:
Accountability and Assistance for School Districts and Schools

- Section:
- 2.01: Scope, and Purpose
 - 2.02: Definitions
 - 2.03: Accountability and Assistance for All Districts and Schools
 - 2.04: Self-Assessments for Districts and Schools Requiring Assistance or Intervention
 - 2.05: Accountability and Assistance for Underperforming Districts and Schools
 - 2.06: Accountability and Assistance for Chronically Underperforming Districts and Schools
 - 2.07: Mathematics Content Assessments at Underperforming and Chronically Underperforming Schools
- [View All Sections](#)

Most Recently Amended by the Board of Education: June 26, 2018

2.01: Scope and Purpose

- (1) 603 CMR 2.00 governs the review of the educational programs and services provided by the Commonwealth's public schools and the assistance to be provided by districts and the Department to improve them; it identifies the circumstances under which a school may be declared underperforming and those under which a school or school district may be declared chronically underperforming, resulting in accountability and assistance in accordance with M.G.L. c. 15, § 55A and c. 69, §§ 1J and 1K.
- (2) The purpose of 603 CMR 2.00 is to hold districts and schools accountable for educating their students well and to assist them in improving the education they provide.

2.02: Definitions

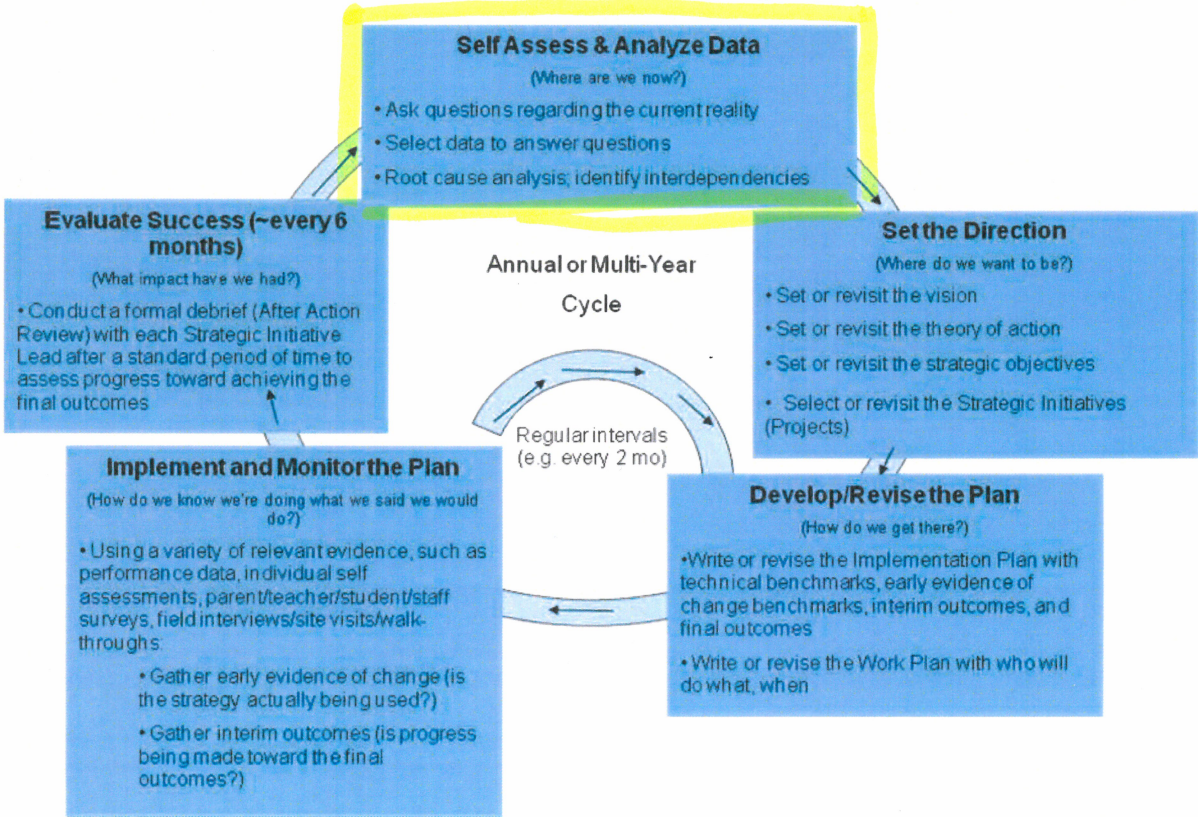
- Accountability Percentile.** The measure used to report each school's relative standing compared to other schools statewide. The accountability percentile shall be calculated by ranking data from all available accountability indicators for each school and combining them into a single, final percentile value, from 1 to 99.
- Annual Performance Determination.** An annual district, grade level, school, or student subgroup achievement and improvement, as determined by the Department relative to indicators which include, but need not be limited to, achievement in English language arts, mathematics, and science, student growth in English language arts and mathematics, high school completion, English language proficiency, chronic absenteeism, and high school advanced coursework completion, in accordance with the federal Elementary and Secondary Education Act (ESEA).
- Benchmark assessment.** An assessment that is given at regular and specified intervals throughout the school year, is designed to evaluate students' knowledge and skills relative to a specific set of academic standards, and produces results that can be aggregated (e.g., by course, grade level, school, or district) in order to inform teachers and administrators at the student, classroom, school, and district levels.

Office of District and School Turnaround:
Theory of Action

IF ODST supports districts to use a continuous cycle of improvement to turn around their lowest performing schools,

THEN districts will strengthen the district systems of support necessary to continuously improve district and school performance.

A Continuous Cycle of Improvement



R 52.00:

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PROPOSED AMENDMENTS TO REGULATIONS ACCOUNTABILITY AND ASSISTANCE FOR SCHOOL DISTRICTS AND SCHOOLS 603 CMR 2.00

- * Presented to the Board of Elementary and Secondary Education for initial review and vote to solicit public comment: **March 27, 2018**
- * Period of public comment: **through Friday, May 18, 2018**
- * Final action by the Board of Elementary and Secondary Education anticipated: **June 26, 2018**

Proposed amendments are indicated by underline (new language) or ~~strikethrough~~ (deleted language), and proposed amendments made in response to public comment are indicated by *italics*. For the complete text of the current regulations, 603 CMR 2.00, see <http://www.doe.mass.edu/lawsregs/603cmr2.html>

603 CMR 2.00: Accountability and Assistance for School Districts and Schools

Section:

- 2.01: Authority, Scope, and Purpose
- 2.02: Definitions
- 2.03: Accountability and Assistance for All Districts and Schools ~~in All Levels~~
- 2.04: Accountability and Assistance for Districts and Schools Self-Assessments for Districts and Schools Requiring Assistance or Intervention Not Designated as Underperforming or Chronically Underperforming in Levels 1 through 3
- 2.05: Accountability and Assistance for Underperforming Districts and Schools ~~in Level 4~~
- 2.06: Accountability and Assistance for Chronically Underperforming Districts and Schools ~~in Level 5~~
- 2.07: Mathematics Content Assessments at Level 4 Underperforming and Level 5 Chronically Underperforming Schools

2.04: Accountability and Assistance for Districts and Schools in Levels 1-3 Not Designated as Underperforming or Chronically Underperforming Self-Assessments for Districts and Schools Requiring Assistance or Intervention

~~(1) Placement of schools and districts in Levels 1 and 2 Annual performance determination Districts and schools will be assigned an annual performance determination in accordance with the district and school accountability system developed by the Department and approved by the Board. This annual determination shall be based on include:~~

~~(a) For schools, a normative measure of school performance that provides information regarding each school's relative standing compared to other schools statewide; and~~

~~(b) For districts and schools, a criterion referenced component that based on provides information regarding the progress that each district or school is making toward targets established by the Department for each accountability indicator.~~

(a) A school shall be placed in Level 1 or 2 of the framework for district accountability and assistance based on the performance of students in the aggregate and subgroups, according to the Department's annual performance determination. The Department shall publish guidance for schools as to what performance leads to placement in what level.

(b) A school shall move from one level to another within Levels 1 and 2 by virtue of change in the performance of students in the aggregate and subgroups, according to the Department's annual performance determination, and in accordance with guidance published by the Department pursuant to 603 CMR 2.04(1)(a).

(c) Districts shall be placed in Levels 1 and 2 in accordance with the levels of their schools, and shall move from one level to another within Levels 1 and 2 by virtue of change in their schools' levels pursuant to 603 CMR 2.04(1)(b). The Department shall publish guidance for districts as to what performance leads to placement in what level.

(2) **Placement of schools and districts in Level 3** A school shall be placed in Level 3 of the framework for district accountability and assistance if any one of its subgroups scores among the lowest performing subgroups in the state. The Department may place a school in Level 3 if it scores in the lowest 20% statewide of schools serving common grade levels pursuant to 603 CMR 2.05(2)(a). The Department shall publish guidance describing the specific methodology used to identify Level 3 schools, as well as guidance for districts as to what performance leads to placement in what level.

~~(3) (2) (1) Self-assessment by districts in Level 3 with schools in need of targeted support or intervention requiring assistance or intervention~~ A district ~~in Level with one or more schools identified as in need of support or intervention requiring assistance or intervention according to 603 CMR 2.03(3)(b)~~ shall use a process approved by the Department to complete a self-assessment, ~~shall use the self-assessment to identify unmet conditions for school effectiveness (see 603 CMR 2.03(4)(b)),~~ and shall address the ~~unmet conditions~~ needs identified by the self-assessment by revising its District Improvement Plan and School Improvement Plans.

(2) **Self-assessment by districts requiring assistance or intervention** A district identified as requiring assistance or intervention according to 603 CMR 2.03(3)(a) shall use a process approved by the Department to complete a self-assessment and shall address the needs identified by the self-assessment by revising its District Improvement Plan and, if needed, its School Improvement Plans.

(4) **Limitation of certain provisions** In 2017, the provisions of 603 CMR 2.04 (1) - (3) will not apply to any school that enrolls students in grades 3-8, provided that the school has a participation rate of at least 90 percent in the administration of the spring 2017 MCAS tests and does not have a persistently low graduation rate.

APPENDIX 1

MA Law: An Act Relative to the Achievement Gap – 2010

Acts (2010)**Chapter 12****AN ACT RELATIVE TO THE ACHIEVEMENT GAP.**

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith innovation into school districts and turnaround underperforming schools, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1. Chapter 7 of the General Laws is hereby amended by striking out section 22A, as appearing in the 2008 Official Edition, and inserting in place thereof the following section:-

Section 22A. Notwithstanding any general or special law relating to collective purchasing, but subject to all other laws regulating public purchases and competitive bidding, the commonwealth and 1 or more of its cities, towns, districts, counties, authorities or commonwealth or Horace Mann charter schools, or 2 or more cities, towns, districts, counties, authorities or commonwealth or Horace Mann charter schools, hereinafter called political subdivisions, may make purchases of materials, supplies, equipment or services through the state purchasing agent subject to such rules, regulations and procedures as may be established from time to time by the purchasing agent; provided, however, that the political subdivision shall accept sole responsibility for any payment due the vendor for its share of such purchase.

SECTION 2. Chapter 40 of the General Laws is hereby amended by striking out section 4E, as so appearing, and inserting in place thereof the following section:-

Section 4E. Two or more school committees of cities, towns and regional school districts and boards of trustees of charter schools may enter into a written agreement to conduct education programs and services which shall complement and strengthen the school programs of member school committees and charter schools and increase educational opportunities for children. The school committees and boards of trustees of charter schools shall collaborate to offer the programs and services; provided, however, the association of school

committees and board of trustees of charter schools which is formed to deliver the programs and services shall be known as an education collaborative.

The education collaborative shall be managed by a board of directors which shall be comprised of 1 person appointed by each member school committee and 1 person appointed by each member charter board of trustees. All appointed persons shall be either a school committee member or his designee, the superintendent of schools or his designee or a member of the charter board of trustees. Members of the board of directors shall be entitled to a vote according to the terms of the education collaborative agreement. The department of education shall appoint an individual to serve in an advisory capacity to the education collaborative board of directors. The individual shall not be entitled to vote on any matter which comes before the board of directors of the education collaborative.

The written agreement which shall form the basis of the education collaborative shall set forth the purposes of the program or service, the financial terms and conditions of membership of the education collaborative, the method of termination of the education collaborative and of the withdrawal of member school committees and charter schools, the procedure for admitting new members and for amending the collaborative agreement, the powers and duties of the board of directors of the education collaborative to operate and manage the education collaborative and any other matter not incompatible with law which the member committees and charter schools consider advisable. The agreement shall be subject to the approval of the member school committees and the commissioner of education.

Each board of directors of an education collaborative shall establish and manage a trust fund, to be known as an Education Collaborative Trust Fund, and each such fund shall be designated by an appropriate name. All monies contributed by the member municipalities and charter schools and all grants or gifts from the federal government, state government, charitable foundations, private corporations or any other source shall be paid to the board of directors of the education collaborative and deposited in the fund.

The board of directors of the education collaborative shall appoint a treasurer who may be a treasurer of a city, town or regional school district belonging to the collaborative. The treasurer may, subject to the direction of the board of directors of the education collaborative, receive and disburse all monies of the trust fund without further appropriation. The treasurer shall give bond annually for the faithful performance of his duties as collaborative treasurer in a form approved by the department of revenue and in the sum, not less than the amount established by the department, as shall be fixed by the board of directors of the education collaborative. The board of directors of the

education collaborative in its discretion may pay compensation to the treasurer for his services. No member of the board of directors of the education collaborative shall be eligible to serve as treasurer of the collaborative.

The treasurer of the education collaborative board of directors shall have the authority to make appropriate investments of the monies of the Education Collaborative Trust Fund consistent with section 54 of chapter 44.

The board of directors of an educational collaborative may borrow money, enter into long-term or short-term loan agreements or mortgages and apply for state, federal or corporate grants or contracts to obtain funds necessary to carry out the purpose for which such collaborative is established; provided, however, that the board of directors has determined that any borrowing, loan or mortgage is cost-effective and in the best interest of the collaborative and its member municipalities and charter schools. The borrowing, loans or mortgages shall be consistent with the written agreement and articles of incorporation, if any, of the educational collaborative and shall be consistent with standard lending practices.

The board of directors of the education collaborative may employ an executive officer who shall serve under the general direction of the board and who shall be responsible for the care and supervision of the education collaborative.

The board of directors of the education collaborative shall be considered to be a public employer and have the authority to employ personnel, including teachers, to carry out the purposes and functions of the education collaborative. No person shall be eligible for employment by the board of directors as an instructor of children with severe special needs, teacher of children with special needs, teacher, guidance counselor or school psychologist unless the person has been granted a certificate by the board of education under section 38G of chapter 71 or section 6 of chapter 71A or an approval under the regulations promulgated by the board of education under chapter 71B or chapter 74 with respect to the type of position for which he seeks employment; provided, however, that nothing herein shall be construed to prevent a board of directors of an education collaborative from prescribing additional qualifications. A board of directors of an education collaborative may, upon its request, be exempted by the board of education for any 1 school year from the requirements of this section to employ certified or approved personnel when compliance therewith would in the opinion of the board constitute a great hardship. The education collaborative shall be considered to be a public entity and shall have standing to sue and be sued to the same extent as a city, town or regional school district. An education collaborative, acting through its board of directors, may enter into contracts for the purchase

of supplies, materials and services and for the purchase or leasing of land, buildings and equipment as considered necessary by the board of directors.

A school committee of a city, town or regional school district or board of trustees of a charter school may authorize the prepayment of monies for an educational program or service of the education collaborative to the treasurer of an education collaborative, and the city, town or regional school district or charter school treasurer shall be required to approve and pay the monies in accordance with the authorization of the school committee or board of trustees.

SECTION 3. Chapter 69 of the General Laws is hereby amended by striking out sections 1J and 1K, as so appearing, and inserting in place thereof the following 2 sections:-

Section 1J. (a) The commissioner of elementary and secondary education may, on the basis of student performance data collected pursuant to section 1I, a school or district review performed under section 55A of chapter 15, or regulations adopted by the board of elementary and secondary education, designate 1 or more schools in a school district other than a Horace Mann charter school as underperforming or chronically underperforming. The board shall adopt regulations establishing standards for the commissioner to make such designations on the basis of data collected pursuant to section 1I or information from a school or district review performed under section 55A of chapter 15. Upon the release of the proposed regulations, the board shall file a copy thereof with the clerks of the house of representatives and the senate who shall forward the regulations to the joint committee on education. Within 30 days of the filing, the committee may hold a public hearing and issue a report on the regulations and file the report with the board. The board, pursuant to applicable law, may adopt final regulations making revisions to the proposed regulations as it deems appropriate after consideration of the report and shall forthwith file a copy of the regulations with the chairpersons of the joint committee on education and, not earlier than 30 days of the filing, the board shall file the final regulations with the state secretary. Schools that score in the lowest 20 per cent statewide among schools serving common grade levels on a single measure developed by the department that takes into account student performance data and, beginning on July 1, 2011, improvement in student academic performance, shall be deemed eligible for designation as underperforming or chronically underperforming. Not more than 4 per cent of the total number of public schools may be designated as underperforming or chronically underperforming at any given time. In adopting regulations allowing the commissioner to designate a

school as underperforming or chronically underperforming, the board shall ensure that such regulations take into account multiple indicators of school quality in making determinations regarding underperformance or chronic underperformance, such as student attendance, dismissal rates and exclusion rates, promotion rates, graduation rates or the lack of demonstrated significant improvement for 2 or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based special education, low-income, English language proficiency and racial classifications.

Before a school is designated chronically underperforming by the commissioner, a school must be designated underperforming and fail to improve.

An underperforming or chronically underperforming school described in the following subsections shall operate in accordance with laws regulating other public schools, except as such provisions may conflict with this section or any turnaround plans created thereunder. A student who is enrolled in a school at the time it is designated as underperforming or chronically underperforming shall retain the ability to remain enrolled in the school while remaining a resident of the district if the student chooses to do so.

(b) Upon the designation of a school as an underperforming school in accordance with regulations developed pursuant to this section, the superintendent of the district, with approval by the commissioner, shall create a turnaround plan for the school, under subsections (b) to (e), inclusive. The commissioner may allow for an expedited turnaround plan for schools that have been previously designated as underperforming and where the district has a turnaround plan that has had a public comment period and approval of the local school committee.

Before the superintendent creates the turnaround plan required in this subsection, the superintendent shall convene a local stakeholder group of not more than 13 individuals, for the purpose of soliciting recommendations on the content of such plan to maximize the rapid academic achievement of students at the school. The superintendent shall provide due consideration to the recommendations of the stakeholder group. The group shall include: (1) the commissioner, or a designee; (2) the chair of the school committee, or a designee; (3) the president of the local teacher's union, or a designee; (4) an administrator from the school, who may be the principal, chosen by the superintendent; (5) a teacher from the school chosen by the faculty of the school; (6) a parent from the school chosen by the local parent organization; (7) representatives of applicable state and local social service, health and child welfare agencies, chosen by the superintendent; (8) as appropriate, representatives of state and local

workforce development agencies, chosen by the superintendent; (9) for elementary schools, a representative of an early education and care provider chosen by the commissioner of the department of early education and care and, for middle schools or high schools, a representative of the higher education community selected by the secretary; and (10) a member of the community appointed by the chief executive of the city or town. If the school or district does not have a parent organization or if the organization does not select a parent, the superintendent shall select a volunteer parent of a student from the school. The superintendent shall convene such group within 30 days of the commissioner designating a school as underperforming and the group shall make its recommendations to the superintendent within 45 days of its initial meeting. Meetings of the local stakeholder group shall be open to the public and the recommendations submitted to the superintendent under this subsection shall be publicly available immediately upon their submission.

(c) In creating the turnaround plan in subsection (b) the superintendent shall include, after considering the recommendations of the local stakeholder group, provisions intended to maximize the rapid academic achievement of students at the school and shall, to the extent practicable, base the plan on student outcome data, including, but not limited to: (1) data collected pursuant to section 11 or information from a school or district review performed under section 55A of chapter 15; (2) student achievement on the Massachusetts Comprehensive Assessment System; (3) other measures of student achievement, approved by the commissioner; (4) student promotion and graduation rates; (5) achievement data for different subgroups of students, including low-income students as defined in chapter 70, limited English-proficient students and students receiving special education; and (6) student attendance, dismissal rates and exclusion rates.

The superintendent shall also include in the creation of the turnaround plan, after considering the recommendations of the local stakeholder group, the following: (1) steps to address social service and health needs of students at the school and their families, to help students arrive and remain at school ready to learn; provided, however, that this may include mental health and substance abuse screening; (2) steps to improve or expand child welfare services and, as appropriate, law enforcement services in the school community, in order to promote a safe and secure learning environment; (3) steps to improve workforce development services provided to students and their families at the school, to provide students and families with meaningful employment skills and opportunities; (4) steps to address achievement gaps for limited English-proficient, special education and low-income students; and (5) alternative English language learning programs for limited English proficient students, notwithstanding chapter 71A; and (6) a

financial plan for the school, including any additional funds to be provided by the district, commonwealth, federal government or other sources.

The secretaries of health and human services, labor and workforce development, public safety and other applicable state and local social service, health and child welfare officials shall coordinate with the superintendent regarding the implementation of strategies under clauses (1) to (3), inclusive, of the second paragraph that are included in a final turnaround plan and shall, subject to appropriation, reasonably support such implementation consistent with the requirements of state and federal law applicable to the relevant programs that each such official is responsible for administering. The secretary of education and the commissioner of elementary and secondary education shall assist the superintendent in facilitating the coordination.

To assess the school across multiple measures of school performance and student success, the turnaround plan shall include measurable annual goals including, but not limited to: (1) student attendance, dismissal rates and exclusion rates; (2) student safety and discipline; (3) student promotion and graduation and dropout rates; (4) student achievement on the Massachusetts Comprehensive Assessment System; (5) progress in areas of academic underperformance; (6) progress among subgroups of students, including low-income students as defined by chapter 70, limited English-proficient students and students receiving special education; (7) reduction of achievement gaps among different groups of students; (8) student acquisition and mastery of twenty-first century skills; (9) development of college readiness, including at the elementary and middle school levels; (10) parent and family engagement; (11) building a culture of academic success among students; (12) building a culture of student support and success among school faculty and staff and; (13) developmentally appropriate child assessments from pre-kindergarten through third grade, if applicable.

(d) Notwithstanding any general or special law to the contrary, in creating the turnaround plan required in subsection (b), the superintendent may, after considering the recommendations of the group of stakeholders: (1) expand, alter or replace the curriculum and program offerings of the school, including the implementation of research-based early literacy programs, early interventions for struggling readers and the teaching of advanced placement courses or other rigorous nationally or internationally recognized courses, if the school does not already have such programs or courses; (2) reallocate the uses of the existing budget of the school; (3) provide additional funds to the school from the budget of the district, if the school does not already receive funding from the district at least equal to the average per pupil funding received for students of the same classification and grade level in the district; (4) provide funds, subject

to appropriation and following consultation with applicable local unions, to increase the salary of any administrator, or teacher in the school, to attract or retain highly-qualified administrators, or teachers or to reward administrators, or teachers who work in underperforming schools that achieve the annual goals set forth in the turnaround plan; (5) expand the school day or school year or both of the school; (6) for an elementary school, add pre-kindergarten and full-day kindergarten classes, if the school does not already have such classes; (7) following consultation with applicable local unions, require the principal and all administrators, teachers and staff to reapply for their positions in the school, with full discretion vested in the superintendent regarding his consideration of and decisions on rehiring based on the reapplications. (8) limit, suspend or change 1 or more provisions of any contract or collective bargaining agreement, as the contract or agreement applies to the school; provided, that the superintendent shall not reduce the compensation of an administrator, teacher or staff member unless the hours of the person are proportionately reduced; (9) limit, suspend or change 1 or more school district policies or practices, as such policies or practices relate to the school; (10) include a provision of job-embedded professional development for teachers at the school, with an emphasis on strategies that involve teacher input and feedback; (11) provide for increased opportunities for teacher planning time and collaboration focused on improving student instruction; (12) establish a plan for professional development for administrators at the school, with an emphasis on strategies that develop leadership skills and use the principles of distributive leadership; (13) establish steps to assure a continuum of high-expertise teachers by aligning the following processes with a common core of professional knowledge and skill: hiring, induction, teacher evaluation, professional development, teacher advancement, school culture and organizational structure; (14) develop a strategy to search for and study best practices in areas of demonstrated deficiency in the school; (15) establish strategies to address mobility and transiency among the student population of the school; and (16) include additional components based on the reasons why the school was designated as underperforming and the recommendations of the group of stakeholders in subsection (b).

If the superintendent does not approve a reapplication submitted by an employee pursuant to clause (7) for a position in the school or if an employee does not submit a reapplication for a position in the school, the employee shall retain such rights as may be provided under law or any applicable collective bargaining agreement in relation to the employee's ability to fill another position in the district; provided, however, that the employee shall not have the right to displace any teacher with professional teacher status in any other school during a school year.

A teacher with professional teacher status in a school declared underperforming or chronically underperforming may be dismissed for good cause; provided, however, that the teacher receives 5 days written notice of the decision to terminate which shall include, without limitation, an explanation of the reason why the superintendent is not retaining the teacher in the school; provided, further, that the teacher may seek review of a termination decision within 5 days after receiving notice of the teacher's termination by filing a petition for expedited arbitration with the commissioner; provided, further, that except as otherwise provided herein section 42 of chapter 71 shall apply to a petition filed pursuant to this section; provided, further, that the commissioner shall cause an arbitrator to be selected pursuant to the procedures in section 42 of chapter 71 within 3 days of receipt of petition and shall conduct and complete a hearing within 10 days of receipt of the petition; provided, further, that in reviewing dismissal decisions, the arbitrator shall consider the components of the turnaround plan and shall also consider any personnel evaluations conducted that are consistent with the guidelines established pursuant to section 1B; and provided, further, that the arbitrator's decision shall be issued within 10 days from the completion of the hearing.

For a school with limited English-proficient students, the professional development and planning time for teachers and administrators identified in clauses (10) to (12), inclusive, shall include specific strategies and content designed to maximize the rapid academic achievement of limited English-proficient students at the school.

(e) Within 30 days of the local stakeholder group making recommendations under subsection (b), the superintendent shall submit a turnaround plan to the local stakeholder group, the school committee and the commissioner, all of whom may propose modifications to the plan. The superintendent shall make such plan immediately available to the public upon the submission. The stakeholder group, the school committee and the commissioner shall submit any proposed modifications to the superintendent not more than 30 days after the date of submission of the turnaround plan and the proposed modifications shall be made public immediately upon their submission to the superintendent. The superintendent shall consider and may incorporate the modifications into the plan if the superintendent determines that inclusion of the modifications would further promote the rapid academic achievement of students at the school or may alter or reject the proposed modifications submitted under this subsection. Within 30 days of receiving any proposed modifications under this subsection, the superintendent shall issue a final turnaround plan for the school and the plan shall be made publicly available.

(f) Within 30 days of the issuance of a final turnaround plan under subsection (e) a school committee or local union may appeal to the

commissioner regarding 1 or more components of the plan, including the absence of 1 or more modifications proposed under subsection (e). The commissioner may, in consultation with the superintendent, modify the plan if the commissioner determines that: (1) such modifications would further promote the rapid academic achievement of students in the applicable school; (2) a component of the plan was included, or a modification was excluded, on the basis of demonstrably-false information or evidence; or (3) the superintendent failed to meet the requirements of subsections (b) to (e), inclusive. The decision of the commissioner regarding an appeal under this subsection shall be made within 30 days and shall be final. (g) If, after considering the recommendations of the group of stakeholders, the superintendent considers it necessary to maximize the rapid academic achievement of students at the applicable school by altering the compensation, hours and working conditions of the administrators, teachers, principal and staff at the school or by altering other provisions of a contract or collective bargaining agreement applicable to the administrators, teachers, principal and staff, the superintendent may request that the school committee and any union bargain or reopen the bargaining of the relevant collective bargaining agreement to facilitate such achievement. The bargaining shall be conducted in good faith and completed not later than 30 days from the point at which the superintendent requested that the parties bargain. The agreement shall be subject to ratification within 10 business days by the bargaining unit members in the school. If the parties are unable to reach an agreement within 30 days or if the agreement is not ratified within 10 business days by the bargaining unit members of the school, the parties shall submit remaining unresolved issues a joint resolution committee for dispute resolution process on the next business day following the end of the 30-day bargaining period or failure to ratify.

The joint resolution committee shall be comprised of 3 members, 1 of whom shall be appointed by the employee organization within 3 business days following the submission of unresolved issues to the joint resolution committee, 1 of whom shall be appointed by the school committee within 3 business days following the submission of unresolved issues to the joint resolution committee and 1 who shall be selected through the American Arbitration Association who shall forthwith forward to the parties a list of 3 conciliators, each of whom shall have professional experience in elementary and secondary education, from which the parties may agree upon a single conciliator provided, however, that if the parties cannot select a conciliator from among the 3 within 3 business days, the American Arbitration Association shall select a conciliator from the remaining names. The joint resolution committee shall conduct a dispute resolution process to be concluded within 10 business days of selection. This process shall

be conducted in accordance with the rules of the American Arbitration Association and consistent with this section. The fee for the process shall be shared equally between the 2 parties involved.

The joint resolution committee shall consider the positions of the parties, the designation of the school as underperforming and the needs of the students in the school. Notwithstanding any other provision of this chapter, the decision of the joint resolution committee shall be dispositive of all the issues in dispute and shall be submitted to the parties within 10 business days of the completion of the process. Under no circumstance, shall a time extension be granted beyond 10 business days of the completion of the process. If a decision is not submitted to the parties within 10 business days, the commissioner will resolve all outstanding issues.

(h) The superintendent may select an external receiver to operate the school and implement the turnaround plan or to assist the superintendent with the implementation. The superintendent may appoint the receiver if the superintendant determines that conditions exist in the district that are likely to negatively affect his ability to implement the plan successfully. A school committee may appeal to the commissioner the decision of the superintendent to appoint an external receiver. The commissioner may reverse such decision only if he determines that the superintendent made the decision on the basis of demonstrably-false information or evidence. A receiver shall be a non-profit entity or an individual with a demonstrated record of success in improving low-performing schools or the academic performance of disadvantaged students. A receiver shall be subject to section 11A ½ of chapter 30A and chapter 66. A receiver who is an individual shall also be subject to chapter 268A.

(i) An external receiver selected by the superintendent to operate a school shall have full managerial and operational control over the school as provided in the turnaround plan. For all other purposes, the school district in which the school is located shall remain the employer of record.

(j) Each turnaround plan shall be authorized for a period of not more than 3 years, subject to subsection (k). The superintendent or external receiver, as applicable, may develop additional components of the turnaround plan pursuant to subsections (b) to (g) inclusive and shall develop annual goals for each component of the plan, in a manner consistent with subsections (b) to (g), inclusive. The superintendent or external receiver, as applicable, shall be responsible for meeting the goals of the plan.

(k) Each school designated by the commissioner as underperforming under subsection (a) shall be reviewed by the superintendent, in consultation with the principal of the school, at least annually. The purpose of the review shall be to determine whether the school has met

the annual goals in its turnaround plan and to assess the overall implementation of the turnaround plan. The review shall be in writing and shall be submitted to the commissioner and the relevant school committee not later than July 1 for the preceding school year. The review shall be submitted in a format determined by the department of elementary and secondary education.

If the commissioner determines that the school has met the annual performance goals stated in the turnaround plan, the review shall be considered sufficient and the implementation of the turnaround plan shall continue. If the commissioner determines that the school has not met 1 or more goals in the turnaround plan and that the failure to meet the goals may be corrected through reasonable modification of the plan, the superintendent may amend the turnaround plan in a manner consistent with the provisions of subsection (b) to (g) inclusive. If the commissioner determines that the school has substantially failed to meet 1 or more goals in the plan, the commissioner may appoint an examiner to conduct an evaluation of the school's implementation of the turnaround plan.

If the commissioner determines that the school has substantially failed to meet multiple goals in the plan, the commissioner may require changes to the turnaround plan to be implemented by the superintendent in the following year or the appointment of an external partner to advise and assist the superintendent in implementing the plan the following year. If the changes to the turnaround plan require changes in a collective bargaining agreement applicable to administrators, teachers or staff in the school, the bargaining procedure in subsection (g) shall be used. If an underperforming school is operated by an external receiver, the commissioner may require the superintendent to terminate the receiver and develop a new turnaround plan; provided, however, that the superintendent shall not terminate the receiver before the completion of the first full school year of the operation of the underperforming school.

(l) Upon the expiration of a turnaround plan, the commissioner shall conduct a review of the school to determine whether the school has improved sufficiently, requires further improvement or has failed to improve. On the basis of such review, the commissioner may determine that: (1) the school has improved sufficiently for the designation of the school as underperforming to be removed; (2) the school has improved, but the school remains underperforming, in which case the superintendent may, with the approval of the commissioner, renew the plan or create a new or modified plan for an additional period of not more than 3 years, consistent with the requirements of subsections (a) to (g); or (3) consistent with the requirements of subsection (a), the school is chronically underperforming. The commissioner may recommend the appointment of an external receiver by the

superintendent if the commissioner believes that a new or modified turnaround plan implemented by the superintendent will not result in rapid improvement. In carrying out this subsection, the superintendent shall: (1) in the case of a renewal of a turnaround plan, determine subsequent annual goals for each component of the plan with the input of the local stakeholder group as defined in subsection (b); or (2) create a new or modified turnaround plan as necessary, consistent with the requirements of this section.

(m) Upon the designation of a school as a chronically underperforming school in accordance with the regulations developed under this section, the commissioner shall create a turnaround plan for the school under this subsection and subsections (n) to (p), inclusive.

Before creating the turnaround plan required in this subsection, the commissioner shall convene a local stakeholder group of not more than 13 individuals for the purpose of soliciting recommendations on the content of such plan in order to maximize the rapid academic achievement of students. The commissioner shall provide due consideration to the recommendations of the stakeholder group. The group shall include: (1) the superintendent, or a designee; (2) the chair of the school committee, or a designee; (3) the president of the local teacher's union, or a designee; (4) an administrator from the school, who may be the principal, chosen by the superintendent; (5) a teacher from the school chosen by the faculty of the school; (6) a parent from the school chosen by the local parent organization; (7) representatives of applicable state and local social service, health and child welfare agencies, chosen by the commissioner; (8) as appropriate, representatives of state and local workforce development agencies, chosen by the commissioner; (9) for elementary schools, a representative of an early education and care provider chosen by the commissioner of the department of early education and care and, for middle schools or high schools, a representative of the higher education community selected by the secretary of education; and (10) a member of the community appointed by the chief executive of the city or town. If the school or district does not have a parent organization or if the organization does not select a parent, the commissioner shall select a volunteer parent of a student from the school. The commissioner shall convene the group within 30 days of the designation of a school as chronically underperforming and the group shall make its recommendations to the commissioner within 45 days of its initial meeting. Meetings of the local stakeholder group shall be open to the public and the recommendations submitted to the commissioner under this subsection shall be publicly available immediately upon their submission.

(n) In creating the turnaround plan required in subsection (m), the commissioner shall include, after considering the recommendations of

the local stakeholder group, provisions intended to maximize the rapid academic achievement of students at the school and shall, to the extent practicable, base the plan on student outcome data, including, but not limited to: (1) data collected under section 1I or information from a school or district review performed under section 55A of chapter 15; (2) student achievement on the Massachusetts Comprehensive Assessment System; (3) other measures of student achievement, approved by the commissioner, as appropriate; (4) student promotion and graduation rates; (5) achievement data for different subgroups of students, including low-income students as defined by chapter 70, limited English-proficient students and students receiving special education; and (6) student attendance ,dismissal rates and exclusion rates.

The commissioner shall include in the creation of the turnaround plan, after considering the recommendations of the local stakeholder group, the following: (1) steps to address social service and health needs of students at the school, and their families, in order to help students arrive and remain at school ready to learn; provided, however, that this may include mental health and substance abuse screening; (2) steps to improve or expand child welfare services and, as appropriate, law enforcement services in the school community, in order to promote a safe and secure learning environment; (3) steps to improve workforce development services provided to students at the school, and their families, in order to provide students and families with meaningful employment skills and opportunities; (4) steps to address achievement gaps for limited English-proficient, special education and low-income students; (5) alternative English language learning programs for limited-English proficient students, notwithstanding chapter 71A; and (6) a financial plan for the school, including any additional funds to be provided by the district, commonwealth, federal government or other sources.

The secretaries of health and human services, labor and workforce development, public safety and other applicable state and local social service, health and child welfare officials shall coordinate with the secretary of education and the commissioner regarding the implementation of strategies under clauses (1) to (3), inclusive, of the second paragraph that are included in a final turnaround plan and shall, subject to appropriation, reasonably support the implementation consistent with the requirements of state and federal law applicable to the relevant programs that each official is responsible for administering.

In order to assess the school across multiple measures of school performance and student success, the turnaround plan shall include measurable annual goals including, but not limited to, the following: (1) student attendance ,dismissal rates and exclusion rates; (2) student

safety and discipline; (3) student promotion and graduation and dropout rates; (4) student achievement on the Massachusetts Comprehensive Assessment System; (5) progress in areas of academic underperformance; (6) progress among subgroups of students, including low-income students as defined by chapter 70, limited English-proficient students and students receiving special education; (7) reduction of achievement gaps among different groups of students; (8) student acquisition and mastery of 21st-century skills; (9) development of college readiness, including at the elementary and middle school levels; (10) parent and family engagement; (11) building a culture of academic success among students; (12) building a culture of student support and success among school faculty and staff; and (13) developmentally appropriate child assessments from pre-kindergarten through third grade, if applicable.

(o) Notwithstanding any general or special law to the contrary, in creating the turnaround plan required in subsection (m), the commissioner may, after considering the recommendations of the group of stakeholders: (1) expand, alter or replace the curriculum and program offerings of the school, including the implementation of research-based early literacy programs, early interventions for struggling readers and the teaching of advanced placement courses or other rigorous nationally or internationally recognized courses, if the school does not already have such programs or courses; (2) reallocate the uses of the existing budget of the school; (3) provide additional funds to the school from the budget of the district, if the school does not already receive funding from the district at least equal to the average per pupil funding received for students of the same classification and grade level in the district; (4) provide funds, subject to appropriation, to increase the salary of an administrator, or teacher in the school, in order to attract or retain highly-qualified administrators or teachers or to reward administrators, or teachers who work in chronically underperforming schools that achieve the annual goals set forth in the turnaround plan; (5) expand the school day or school year or both of the school; (6) for an elementary school, add pre-kindergarten and full-day kindergarten classes, if the school does not already have such classes; (7) limit, suspend, or change 1 or more provisions of any contract or collective bargaining agreement, as the contract or agreement applies to the school; provided, however, that the commissioner shall not reduce the compensation of an administrator, teacher or staff member unless the hours of the person are proportionately reduced; and provided further, that the commissioner may require the school committee and any applicable unions to bargain in good faith for 30 days before exercising authority pursuant to this clause; (8) following consultation with applicable local unions, require the principal and all administrators, teachers and staff to reapply for

their positions in the school, with full discretion vested in the superintendent regarding his consideration of and decisions on rehiring based on the reapplications; (9) limit, suspend or change 1 or more school district policies or practices, as such policies or practices relate to the school; (10) include a provision of job-embedded professional development for teachers at the school, with an emphasis on strategies that involve teacher input and feedback; (11) provide for increased opportunities for teacher planning time and collaboration focused on improving student instruction; (12) establish a plan for professional development for administrators at the school, with an emphasis on strategies that develop leadership skills and use the principles of distributive leadership; (13) establish steps to assure a continuum of high expertise teachers by aligning the following processes with the common core of professional knowledge and skill: hiring, induction, teacher evaluation, professional development, teacher advancement, school culture and organizational structure; (14) develop a strategy to search for and study best practices in areas of demonstrated deficiency in the school; (15) establish strategies to address mobility and transiency among the student population of the school; and (16) include additional components, at the discretion of the commissioner, based on the reasons the school was designated as chronically underperforming and the recommendations of the local stakeholder group in subsection (m).

If the commissioner does not approve a reapplication submitted by an employee pursuant to clause (7) for a position in the school or if an employee does not submit a reapplication for a position in the school, the employee shall retain such rights as may be provided under law or any applicable collective bargaining agreement, in relation to the employee's ability to fill another position in the district; provided, however, that the employee shall not have the right to displace any teacher with professional teacher status in any other school during a school year.

A teacher with professional teacher status in a school declared underperforming or chronically underperforming may be dismissed for good cause; provided, however, that the teacher receives 5 days written notice of the decision to terminate which shall include without limitation an explanation of the reason why the commissioner or superintendent is not retaining the teacher in the school; provided, further, that the teacher may seek review of a termination decision within 5 days after receiving notice of the teacher's termination by filing a petition for expedited arbitration with the commissioner; provided further, that except as otherwise provided herein section 42 of chapter 71 shall apply to a petition filed pursuant to this section; provided further, that the commissioner shall cause an arbitrator to be selected pursuant to the procedures in section 42 of chapter 71 within 3

days of receipt of petition and shall conduct and complete a hearing within 10 days of receipt of the petition; provided, further, that in reviewing dismissal decisions, the arbitrator shall consider the components of the turnaround plan and shall also consider any personnel evaluations conducted that are consistent with the guidelines established pursuant to section 1B; and provided, further, that the arbitrator's decision shall be issued within 10 days from the completion of the hearing.

For a school with limited English-proficient students, the professional development and planning time for teachers and administrators identified in clauses (10) to (12), inclusive, shall include specific strategies and content designed to maximize the rapid academic achievement of the limited English-proficient students.

If the commissioner proposes to reallocate funds to the school from the budget of the district under clause (3), the commissioner shall notify the school committee, in writing, of the amount of and rationale for the reallocation.

(p) Within 30 days of the local stakeholder group making recommendations under subsection (m), the commissioner shall submit a turnaround plan to the local stakeholder group, the superintendent and the school committee, all of whom may propose modifications to the plan. The commissioner shall make the plan immediately available to the public upon submission. The stakeholder group, the superintendent and the school committee shall submit any proposed modifications to the commissioner within 30 days after the date of submission of the turnaround plan and the proposed modifications shall be made public immediately upon their submission to the commissioner. The commissioner shall consider and incorporate the modifications into the plan if the commissioner determines that inclusion of the modifications would further promote the rapid academic achievement of students at the applicable school. The commissioner may alter or reject modifications submitted pursuant to this subsection. Within 30 days of receiving any proposed modifications, the commissioner shall issue a final turnaround plan for the school and the plan shall be made publicly available.

(q) Within 30 days of the issuance of a final turnaround plan under subsection (p), a superintendent, school committee or local union may appeal to the board of elementary and secondary education regarding 1 or more components of the plan, including the absence of 1 or more modifications proposed under subsection (p). A majority of the board, may vote to modify the plan if the board determines that: (1) such modifications would further promote the rapid academic achievement of students in the applicable school; (2) a component of the plan was included, or a modification was excluded, on the basis of demonstrably-false information or evidence; or (3) the commissioner

failed to meet the requirements of subsections (m) to (p), inclusive. The decision of the board regarding an appeal under this subsection shall be made within 30 days and shall be final.

(r) In the case of a chronically underperforming school, the commissioner may, under the circumstances described in this subsection, send a targeted assistance team to the school to assist the superintendent with the implementation of the turnaround plan, require the superintendent to implement the turnaround plan, or select an external receiver to operate the school and implement the turnaround plan. The commissioner may appoint such receiver if the commissioner determines that: (1) the superintendent is unlikely to implement the plan successfully; or (2) conditions exist in the district that are likely to negatively affect the ability of the superintendent to implement such plan successfully. A receiver shall be a non-profit entity or an individual with a demonstrated record of success in improving low performing schools or the academic performance of disadvantaged students. A receiver shall be subject to section 11A½ of chapter 30A and chapter 66. A receiver who is an individual shall also be subject to chapter 268A.

The commissioner may select the external receiver upon the designation of a school as chronically underperforming. The external receiver may serve as the commissioner's designee for the purpose of creating a school's turnaround plan under subsections (m) to (p), inclusive.

(s) An external receiver selected by the commissioner to operate a chronically underperforming school shall have full managerial and operational control over the school as provided in the turnaround plan. For all other purposes, the school district in which the school is located shall remain the employer of record.

(t) Each turnaround plan shall be authorized for a period of not more than 3 years, subject to subsection (v). The superintendent or external receiver, as applicable, may develop additional components of the plan and shall develop annual goals for each component of the plan in a manner consistent with subsection (n), all of which must be approved by the commissioner. The superintendent or external receiver, as applicable, shall be responsible for meeting the goals of the turnaround plan.

(u) The commissioner or external receiver, as applicable, shall provide a written report to the school committee on a quarterly basis to provide specific information about the progress being made on the implementation of the school's turnaround plan. One of the quarterly reports shall be the annual evaluation under subsection (v).

(v) The commissioner shall evaluate each chronically underperforming school at least annually. The purpose of the evaluation shall be to determine whether the school has met the annual goals in its turnaround

plan and assess the implementation of the plan at the school. The review shall be in writing and shall be submitted to the superintendent and the school committee not later than July 1 for the preceding school year. The review shall be submitted in a format determined by the department of elementary and secondary education.

If the commissioner determines that the school has met the annual performance goals stated in the turnaround plan, the review shall be considered sufficient and the implementation of the turnaround plan shall continue. If the commissioner determines that the school has not met 1 or more goals in the plan, the commissioner may modify the plan in a manner consistent with subsection (n).

If the commissioner determines that the school has substantially failed to meet multiple goals in the plan, the commissioner may: (1) if the school is operated by a superintendent, appoint an external receiver, as defined in subsection (r), to operate the school; or (2) if the school is operated by an external receiver terminate the contract of the external receiver; provided, however, that the commissioner shall not terminate the receiver before the completion of the first full school year of the operation of the chronically underperforming school.

(w) Upon the expiration of a turnaround plan for a chronically underperforming school, the commissioner shall conduct a review of the school to determine whether the school has improved sufficiently, requires further improvement or has failed to improve. On the basis of such review, the commissioner may: (1) on the basis of a superintendent's or external receiver's success in meeting the terms of the plan, renew the plan with the superintendent or external receiver for an additional period of not more than 3 years; (2) if a school that is operated by a superintendent and remains chronically underperforming, appoint an external receiver, as defined in subsection (r), to operate the school; (3) if a chronically underperforming school that is operated by an external receiver and remains chronically underperforming, transfer the operation of the school from the receiver to the applicable superintendent or to another external receiver; or (4) determine that the school has improved sufficiently for the designation of chronically underperforming to be removed. The commissioner shall: (1) in the case of a renewal of an turnaround plan, jointly determine subsequent annual goals for each component of the plan with the superintendent or external receiver, as applicable; or (2) create a new or modified turnaround plan as necessary, consistent with the requirements of this section.

(x) Notwithstanding any general or special law to the contrary, any underperforming or chronically underperforming school operating a limited-English proficient program or programs for limited English proficient students in any 1 language group shall establish a limited English proficient parent advisory council. The parent advisory council

shall be comprised of parents or legal guardians of students who are enrolled in limited English proficient programs within the school. Each parent advisory council shall have at least 1 representative from every language group in which a program is conducted in a given school. Membership shall be restricted to parents or legal guardians of students enrolled in limited English proficient programs within the school. The duties of the parent advisory council shall include, but not be limited to, advising the school on matters that pertain to the education of students in limited English proficient programs, meeting regularly with school officials to participate in the planning and development of a plan to improve educational opportunities for limited English proficient students, and to participate in the review of school improvement plans established under section 59C of chapter 71 as they pertain to limited English proficient students. Any parent advisory council may, at its request, meet at least once annually with the school council. The parent advisory council shall establish by-laws regarding officers and operational procedures. In the course of its duties under this section, the parent advisory council shall receive assistance from the director of limited English proficient programs for the district or other appropriate school personnel as designated by the superintendent.

(y) The board of elementary and secondary education shall adopt regulations regarding: (1) the conditions under which an underperforming or chronically underperforming school shall no longer be designated as an underperforming or chronically underperforming school; and (2) the transfer of the operation of an underperforming or a chronically underperforming school from a superintendent or an external receiver, as applicable, to the school committee. The regulations shall include provisions to allow a school to retain measures adopted in an turnaround plan for a transitional period if, in the judgment of the commissioner, the measures would contribute to the continued improvement of the school. Such regulations shall also include provisions that clearly identify the conditions under which such a transitional period shall end and the powers granted to the commissioner and board under this section shall cease to apply to a district previously designated as chronically underperforming.

(z) The commissioner shall report annually to the joint committee on education, the house and senate committees on ways and means, the speaker of the house of representatives and the senate president on the implementation and fiscal impact of this section and section 1K. The report shall include, but not be limited to, a list of all schools currently designated as underperforming or chronically underperforming, a list of all districts currently designated as chronically underperforming, the plans and timetable for returning the schools and districts to the local school committee and strategies used in each of the schools and districts to maximize the rapid academic achievement of students.

Section 1K. (a) A district shall be deemed eligible for designation as chronically underperforming upon a determination by the board of elementary and secondary education, pursuant to regulations adopted by the board, that a school district, other than a single school district, has scored in the lowest 10 per cent statewide when compared to other districts of the same grade levels based on a single measure developed by the department that takes into account student achievement data collected pursuant to 1I, and, beginning on July 1, 2011, improvement over time in student academic achievement. Following such determination, the commissioner shall appoint a district review team pursuant to section 55A of chapter 15 to assess and report on the reasons for the underperformance and the prospects for improvement, unless such an assessment has been completed by a district review team within the previous year that the commissioner considers adequate. The district review team shall include at least 1 person with expertise in the academic achievement of limited English-proficient students. Upon review of the findings of the district review team, the board may declare the district chronically underperforming.

Following such a declaration, the board shall designate a receiver for the district with all the powers of the superintendent and school committee. The receiver shall be a non-profit entity or an individual with a demonstrated record of success in improving low-performing schools or districts or the academic performance of disadvantaged students who shall report directly to the commissioner. An external receiver designated by the board to operate a district under this subsection shall have full managerial and operational control over such district; provided, however, that the school district shall remain the employer of record for all other purposes. A receiver shall be subject to section 11A ½ of chapter 30A and chapter 66. A receiver who is an individual shall also be subject to chapter 268A.

Not more than 2.5 per cent of the total number of school districts may be designated as chronically underperforming at any given time.

In adopting regulations allowing the board to designate a district as chronically underperforming, the board must ensure that the regulations account for multiple indicators of district quality including student attendance, dismissal rates, exclusion rates, student promotion and graduation rates in the district, or the lack of demonstrated significant improvement for 2 or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based on special education classification, low-income, English language proficiency and racial classifications.

(b) The commissioner and the receiver shall jointly create an turnaround plan to promote the rapid improvement of the chronically underperforming district. The plan shall specifically focus on the school or schools in the district that have been designated as

chronically underperforming under section 1J and the district policies or practices that have contributed to chronic underperformance. Before creating the turnaround plan required in this subsection, the commissioner and receiver shall convene a local stakeholder group of not more than 13 individuals for the purpose of soliciting recommendations on the content of such plan in order to maximize the rapid improvement of the academic achievement of students. The commissioner shall provide due consideration to the recommendations of the local stakeholder group. The group shall include: (1) the superintendent, or a designee; (2) the chair of the school committee, or a designee; (3) the president of the local teacher's union, or a designee; (4) a selection of administrators from the district, chosen by the commissioner from among volunteers from the district; (5) a selection of teachers from the district, chosen by the local teacher's union; (6) a selection of parents from the district chosen by the local parent organization; (7) representatives of applicable state and local social service, health, and child welfare agencies chosen by the commissioner; (8) as appropriate, representatives of state and local workforce development agencies chosen by the commissioner; (9) a representative of an early education and care provider chosen by the commissioner of the department of early education and care, or for middle or high schools, a representative of the higher education community selected by the secretary of education; and (10) a member of the community appointed by the chief executive of the city or town. If the district does not have a parent organization or if the organization does not select a parent, the commissioner shall select a volunteer parent of a student from the district. The commissioner and receiver shall convene the group within 30 days of the board designating a district as chronically underperforming and the group shall make its recommendations to the commissioner and receiver within 45 days of its initial meetings. Meetings of the local stakeholder group shall be open to the public and the recommendations submitted to the commissioner and receiver shall be publicly available immediately upon their submission.

(c) In creating the turnaround plan, the commissioner and receiver shall include measures intended to maximize the rapid improvement of the academic achievement of students in the district and shall, to the extent practicable, base the plan on student outcome data, including, but not limited to: (1) data collected pursuant to section 1I, or information from a school or district review performed under section 55A of chapter 15; (2) student achievement on the Massachusetts Comprehensive Assessment System; (3) other measures of student achievement, approved by the commissioner; (4) student promotion and graduation rates; (5) achievement data for different subgroups of students, including low-income students as defined in chapter 70, limited

English-proficient students and students receiving special education; and (6) student attendance, dismissal rates and exclusion rates. In creating the turnaround plan required in subsection (b), the commissioner and receiver shall include, after considering the recommendations of the local stakeholder group, the following: (1) steps to address social service and health needs of students in the district and their families in order to help students arrive and remain at school ready to learn; provided, however, that this may include mental health and substance abuse screening; (2) steps to improve or expand child welfare services and, as appropriate, law enforcement services in the school district community, in order to promote a safe and secure learning environment; (3) as applicable, steps to improve workforce development services provided to students in the district and their families in order to provide students and families with meaningful employment skills and opportunities; (4) steps to address achievement gaps for limited English-proficient, special education and low-income students, as applicable; (5) alternative English language learning programs for limited-English proficient students, notwithstanding chapter 71A; and (6) a budget for the district including any additional funds to be provided by the commonwealth, federal government or other sources.

The secretaries of health and human services, public safety, labor and workforce development and other applicable state and local social service, health and child welfare officials shall coordinate with the secretary of education and the commissioner regarding the implementation of strategies pursuant to clauses (1) to (3), inclusive, of this subsection that are included in an turnaround plan and shall, subject to appropriation, reasonably support the implementation consistent with the requirements of state and federal law applicable to the relevant programs that each such official is responsible for administering.

In order to assess the district across multiple measures of district performance and student success, the turnaround plan shall include measurable annual goals including, but not limited to, the following: (1) student attendance, dismissal rates and exclusion rates; (2) student safety and discipline; (3) student promotion and graduation and dropout rates; (4) student achievement on the Massachusetts Comprehensive Assessment System; (5) progress in areas of academic underperformance; (6) progress among subgroups of students, including low-income students as defined by chapter 70, limited English-proficient students and students receiving special education; (7) reduction of achievement gaps among different groups of students; (8) student acquisition and mastery of 21st-century skills; (9) development of college readiness, including at the elementary and middle school levels; (10) parent and family engagement; (11) building

a culture of academic success among students; (12) building a culture of student support and success among faculty and staff; and (13) developmentally appropriate child assessments from pre-kindergarten through third grade, if applicable.

(d) Notwithstanding any general or special law to the contrary, in creating the turnaround plan under subsection (b), the commissioner and the receiver may, after considering the recommendations of the group of stakeholders: (1) expand, alter or replace the curriculum and program offerings of the district or of a school in the district, including the implementation of research-based early literacy programs, early interventions for struggling readers and the teaching of advanced placement courses or other rigorous nationally or internationally recognized courses, if the district or schools in the district do not already have such programs or courses; (2) reallocate the uses of the existing budget of the district; (3) provide funds, subject to appropriation, to increase the salary of an administrator, or teacher in the district working in an underperforming or chronically underperforming school, in order to attract or retain highly-qualified administrators, or teachers or to reward administrators or teachers who work in chronically underperforming districts that achieve the annual goals set forth in the turnaround plan; (4) expand the school day or school year or both of schools in the district; (5) limit, suspend or change 1 or more provisions of any contract or collective bargaining agreement in the district, including the adoption of model provisions identified by the commissioner from among existing contracts or collective bargaining agreements in the commonwealth; provided, however, that the commissioner shall not reduce the compensation of an administrator, teacher or staff member unless the hours of the person are proportionately reduced; (6) add pre-kindergarten and full-day kindergarten classes, if the district does not already have the classes; (7) following consultation with applicable local unions, require the principal and all administrators, teachers and staff to reapply for their positions in the district, with full discretion vested in the receiver regarding any such reapplications. turnaround plan; (8) limit, suspend or change 1 or more school district policies or practices, as such policies or practices relate to the underperforming schools in the district; (9) include a provision of job-embedded professional development for teachers in the district, with an emphasis on strategies that involve teacher input and feedback; (10) provide for increased opportunities for teacher planning time and collaboration focused on improving student instruction; (11) establish a plan for professional development for administrators in the district, with an emphasis on strategies that develop leadership skills and use the principles of distributive leadership; (12) establish steps to assure a continuum of high expertise teachers by aligning the following processes with the

common core of professional knowledge and skill: hiring, induction, teacher evaluation, professional development, teacher advancement, school culture and organizational structure; (13) develop a strategy to search for and study best practices in areas of demonstrated deficiency in the district; (14) establish strategies to address mobility and transiency among the student population of the district; and (15) include additional components, at the discretion of the commissioner and the receiver, based on the reasons the district was designated as chronically underperforming and based on the recommendations of the local stakeholder group in subsection (b).

If the commissioner does not approve a reapplication submitted by an employee pursuant to clause (7) for a position in a school or if an employee does not submit a reapplication for a position in a school, the employee shall retain such rights as may be provided under law or any applicable collective bargaining agreement in relation to the employee's ability to fill another position in the district; provided, however, that the employee shall not have the right to displace any teacher with professional teacher status in any other school during a school year.

A teacher with professional teacher status in a school declared underperforming or chronically underperforming may be dismissed for good cause; provided, however, that the teacher receives 5 days written notice of the decision to terminate which shall include without limitation an explanation of the reason why the commissioner/superintendent is not retaining the teacher in the school; provided, further, that the teacher may seek review of a termination decision within 5 days after receiving notice of the teacher's termination by filing a petition for expedited arbitration with the commissioner; provided, further, that except as otherwise provided herein section 42 of chapter 71 shall apply to a petition filed pursuant to this section; provided further, that the commissioner shall cause an arbitrator to be selected pursuant to the procedures in section 42 of chapter 71 within 3 days of receipt of petition and shall conduct and complete a hearing within 10 days of receipt of the petition; provided further, that in reviewing dismissal decisions, the arbitrator shall consider the components of the turnaround plan and shall also consider any personnel evaluations conducted that are consistent with the guidelines established pursuant to section 1B; and provided, further, that the arbitrator's decision shall be issued within 10 days from the completion of the hearing.

For a district with limited English-proficient students, the professional development and planning time for teachers and administrators identified in clauses (9) to (11), inclusive, shall include specific strategies and content designed to maximize the rapid academic achievement of limited English-proficient students in the district.

(e) if, after considering the recommendations of the group of stakeholders, pursuant to subsection (d) the commissioner considers it necessary to maximize the rapid academic achievement of students at an underperforming or chronically underperforming school by altering the compensation, hours and working conditions of the administrators, teachers, principals and staff at the school or by altering other provisions of a contract or collective bargaining agreement applicable to the administrators, teachers, principals and staff, the commissioner may request that the school committee and any union bargain or reopen the bargaining of the relevant collective bargaining agreements to facilitate such achievement. The bargaining shall be conducted in good faith and completed not later than 30 days from the point at which the commissioner requested that the parties bargain. The agreement shall be subject to ratification within 10 business days by the bargaining unit members in the school. If the parties are unable to reach an agreement within 30 days or if the agreement is not ratified within 10 business days by the bargaining unit members of the school, the parties shall submit remaining unresolved issues to a joint resolution committee for dispute resolution process on the next business day following the end of the 30 day bargaining period or failure to ratify.

The joint resolution committee shall be comprised of 3 members, 1 of whom shall be appointed by the employee organization within 3 business days following the submission of unresolved issues to the joint resolution committee, 1 of whom shall be appointed by the school committee within 3 business days following the submission of unresolved issues to the joint resolution committee and 1 who shall be selected through the American Arbitration Association who shall forthwith forward to the parties a list of three conciliators, each of whom shall have professional experience in elementary and secondary education, from which the parties may agree upon a single conciliator; provided, however, that if the parties cannot select a conciliator from among the 3 within 3 business days, the American Arbitration Association shall select a conciliator from the remaining names. The joint resolution committee shall conduct a dispute resolution process to be concluded within 10 business days of selection. This process shall be conducted in accordance with the rules of the American Arbitration Association and consistent with this section; provided however, that all members of the joint resolution committee must agree to any resolution. The fee for the process shall be shared equally between the 2 parties involved.

The joint resolution committee shall consider the positions of the parties, the designation of the school as underperforming or chronically underperforming, the designation of the district as chronically underperforming, and the needs of the students in the school. Notwithstanding any other provision of this chapter, the unanimous

decision of the joint resolution committee shall be dispositive of all the issues in dispute and shall be submitted to the parties within 10 business days of the close of the hearing. Under no circumstance, shall a time extension be granted beyond 10 business days of the close of the hearing. In the event that a unanimous decision is not submitted to the parties within 10 business days, the commissioner will resolve all outstanding issues.

(f) The turnaround plan shall be authorized for a period of not more than 3 years, subject to subsection (g). The commissioner and receiver may jointly develop additional components of the plan and shall jointly develop annual goals for each component of the plan in a manner consistent with the provisions of subsection (d). The receiver shall be responsible for meeting the goals of the turnaround plan.

(g) The commissioner and receiver shall provide a written report to the school committee on a quarterly basis to provide specific information about the progress being made on the implementation of the district's turnaround plan. One of the quarterly reports shall be the annual evaluation required in subsection (g).

(h) The commissioner shall evaluate the performance of the receiver on not less than an annual basis. The purpose of such evaluation shall be to assess the implementation of the turnaround plan and determine whether the district has met the annual goals contained in the turnaround plan. The evaluation shall be in writing and submitted to the board and the local school committee no later than July 1 for the preceding school year.

If the commissioner determines that the district has met the annual performance goals stated in the turnaround plan, the evaluation shall be considered sufficient and the implementation of the turnaround plan shall continue.

If the commissioner determines that the receiver has not met 1 or more goals in the plan and the failure to meet the goals may be corrected through reasonable modification of the plan, the commissioner may amend the turnaround plan, as necessary. After assessing the implementation of the turnaround plan in the district, the commissioner may amend the plan if the commissioner determines that the amendment is necessary in view of subsequent changes in the district that affect 1 or more components of the plan, including, but not limited to, changes to contracts, collective bargaining agreements, or school district policies, in manner consistent with the provisions of subsection (d). If the commissioner determines that the receiver has substantially failed to meet multiple goals in the turnaround plan, the commissioner may terminate such receiver; provided, however, that the termination shall not occur before the completion of the first full school year of the receivership of the district.

(i) After the period of receivership, there shall be a reevaluation of a

district's status under this section. The board of elementary and secondary education shall adopt regulations providing for: (1) the removal of a designation of a district as chronically underperforming; and (2) the transfer of the operation of a chronically underperforming district from an external receiver to the superintendent and school committee, based on the improvement of the district. The regulations shall include provisions to allow a district to retain measures adopted in a turnaround plan for a transitional period if, in the judgment of the commissioner, the measures would contribute to the continued improvement of the district. Such regulations shall also include provisions that clearly identify the conditions under which such a transitional period shall end and the powers granted to the commissioner and board under this section shall cease to apply to a district previously designated as chronically underperforming. At any time after a chronically underperforming district has been placed in receivership, the school committee of the district may petition the commissioner for a determination as to whether the turnaround plan adopted under subsection (b) should be modified or eliminated and whether the school district shall no longer be designated as chronically underperforming. The decision of the commissioner shall be based on regulations adopted by the board. A school committee may seek review by the board of elementary and secondary education of an adverse determination.

(j) If, on the basis of the regulations adopted by the board pursuant to subsection (h), a district has not improved sufficiently to remove the designation of the district as chronically underperforming, the commissioner may: (1) jointly determine subsequent annual goals for each component of the turnaround plan with the receiver and renew the turnaround plan for an additional period of not more than 3 years; or (2) create a new turnaround plan, consistent with the requirements of this section.

(k) If a municipality has failed to fulfill its fiscal responsibilities pursuant to chapter 70, the commissioner may declare the school district as chronically underperforming, subject to the approval of the board. The municipality's mayor or chairman of the board of selectmen shall have the opportunity to present evidence to the board. A vote by the board that a school district is chronically underperforming for fiscal reasons shall authorize the commissioner to petition the commissioner of revenue to require an increase in funds for the school district, alleging that the amount necessary in the municipality for the support of public schools has not been included in the annual budget appropriations. The commissioner of revenue shall determine the amount of any deficiency pursuant to the sums required pursuant to chapter 70, if any, and issue an order compelling the municipality to provide a sum of money equal to such deficiency. If the municipality

does not provide a sum of money equal to such deficiency, the commissioner of revenue, pursuant to section 23 of chapter 59, shall not approve the tax rate of the municipality for the fiscal year until the deficiency is alleviated. Nothing in this subsection shall be construed as creating a cause of action for educational malpractice by students or their parents, guardians or persons acting as parents.

If the district is designated as chronically underperforming pursuant to this subsection, the provisions of this subsection shall supersede those in subsections (a) to (j), inclusive.

SECTION 4. Subsection (b) of section 15 of chapter 70B of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-

Before the sale or lease of an assisted structure or facility or a portion of that structure or facility, the school district in control of the structure or facility shall submit to the authority a district-wide school facility use plan that shall include, but not be limited to, a listing of all school facilities under the control of the school district, a detailed description of both the current use and proposed use of each school facility, the most recent enrollment data, by school facility, then available to the school district, a detailed floor plan of each school facility that shows and labels each space in the facility and whether it is used as a classroom or has some other use and any other information that may be required by the authority to understand the district's school facility use plan. If the plan includes the closure, sale or lease of a school facility or any part of a school facility, the authority may conduct, with the full cooperation of the district, an analysis of district-wide enrollment capacity and future enrollment trends for the district. If the capacity analysis and enrollment projection indicate an extended period of significant excess capacity within the district's educational facilities, the district may, prior to consideration of any other disposition of the identified excess capacity, make a good faith offer to sell or lease at fair market value the identified excess capacity to a commonwealth charter school established pursuant to section 89 of chapter 71 or an applicant for a commonwealth charter school pursuant to said section 89 of said chapter 71 that serves or is seeking to serve students who live in the school district. The authority shall not recapture commonwealth and authority assistance for any such excess capacity that is sold or leased to a commonwealth charter school or applicant for a commonwealth charter school.

SECTION 5. Section 2 of chapter 71 of the General Laws, as so appearing, is hereby amended by inserting after the word "government", in line 4, the following words:- and a program relating to the flag of the United States of America, including, but not limited to, proper etiquette, the correct use and display of the flag ,the importance of participation in the electoral process and the provisions

of 36 U.S.C. 170 to 177, inclusive.

SECTION 6. Section 61 of said chapter 71, as so appearing, is hereby amended by adding the following paragraph:-

A town may terminate its participation in a union by a majority vote of the school committee of the town; provided, however, that said termination shall only be for the purpose of forming an innovation school pursuant to section 92 or establishing different school governance structures. Termination shall be independent of any pending votes regarding dissolution of the union or pending votes by another town regarding its participation.

SECTION 7. Said chapter 71 is hereby further amended by striking out section 89, as so appearing, and inserting in place thereof the following section:-

Section 89. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:-

“Board”, the board of elementary and secondary education.

“Charter school”, commonwealth charter schools and Horace Mann charter schools unless specifically stated otherwise.

“Commissioner”, the commissioner of elementary and secondary education.

“Department”, the department of elementary and secondary education.

“District”, or “school district”, the school department of a city, town, regional school district, or county agricultural school.

“Superintendent”, the superintendent of the district.

(b) The purposes of establishing charter schools are: (i) to stimulate the development of innovative programs within public education; (ii) to provide opportunities for innovative learning and assessments; (iii) to provide parents and students with greater options in selecting schools within and outside their school districts; (iv) to provide teachers with a vehicle for establishing schools with alternative, innovative methods of educational instruction and school structure and management; (v) to encourage performance-based educational programs; (vi) to hold teachers and school administrators accountable for students' educational outcomes; and (vii) to provide models for replication in other public schools.

(c) A commonwealth charter school shall be a public school, operated under a charter granted by the board, which operates independently of a school committee and is managed by a board of trustees. The board of trustees of a commonwealth charter school, upon receiving a charter from the board, shall be deemed to be public agents authorized by the commonwealth to supervise and control the charter school.

A Horace Mann charter school shall be a public school or part of a

public school operated under a charter approved by the school committee and the local collective bargaining unit in the district in which the school is located; provided that all charters shall be granted by the board of elementary and secondary education. A Horace Mann charter school shall have a memorandum of understanding with the school committee of the district in which the charter school is located which, at a minimum, defines the services and facilities to be provided by the district to the charter school and states the funding of the charter school by the district. A Horace Mann charter school established as a conversion of an existing public school shall not require approval of the local collective bargaining unit, but shall require a memorandum of understanding agreement regarding any waivers to applicable collective bargaining agreements; provided further, that the memorandum of understanding shall be approved by a majority of the school faculty; provided further, that Horace Mann charter schools that are conversion of existing public schools shall not be subject to clause (1) of subsection (i). A vote by the school faculty shall be held and finalized within 30 days of submission of the charter school application to the board of elementary and secondary education. A Horace Mann charter school shall be operated and managed by a board of trustees independent of the school committee which approved the school. The board of trustees may include a member of the school committee.

(d) Persons or entities eligible to submit an application to establish a charter school shall include, but not be limited to: (i) a non-profit business or corporate entity; (ii) 2 or more certified teachers; or (iii) 10 or more parents; provided, however, that for profit business or corporate entities shall be prohibited from applying for a charter. The application may be filed in conjunction with a college, university, museum or other similar non-profit entity. Private and parochial schools shall not be eligible for charter school status. The board may authorize a single board of trustees to manage more than 1 charter school; provided, however, that each school is issued its own charter. The commissioner shall provide technical assistance to public school districts to assist in the development of proposals for Horace Mann charter schools.

(e) The board shall establish the information needed in an application for the approval of a charter school; provided that the application shall include, but not be limited to, a description of: (i) the mission, purpose, innovation and specialized focus of the proposed charter school; (ii) the innovative methods to be used in the charter school and how they differ from the district or districts from which the charter school is expected to enroll students; (iii) the organization of the school by ages of students or grades to be taught, an estimate of the total enrollment of the school and the district or districts from which the school will enroll students; (iv) the method for admission to the charter school; (v) the

educational program, instructional methodology and services to be offered to students, including research on how the proposed program may improve the academic performance of the subgroups listed in the recruitment and retention plan; (vi) the school's capacity to address the particular needs of limited English-proficient students, if applicable, to learn English and learn content matter, including the employment of staff that meets the criteria established by the department; (vii) how the school shall involve parents as partners in the education of their children; (viii) the school governance and bylaws; (ix) a proposed arrangement or contract with an organization that shall manage or operate the school, including any proposed or agreed upon payments to such organization; (x) the financial plan for the operation of the school; (xi) the provision of school facilities and pupil transportation; (xii) the number and qualifications of teachers and administrators to be employed; (xiii) procedures for evaluation and professional development for teachers and administrators; (xiv) a statement of equal educational opportunity which shall state that charter schools shall be open to all students, on a space available basis, and shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, proficiency in the English language or academic achievement; (xv) a student recruitment and retention plan, including deliberate, specific strategies the school will use to ensure the provision of equal educational opportunity as stated in clause (xiv) and to attract, enroll and retain a student population that, when compared to students in similar grades in schools from which the charter school is expected to enroll students, contains a comparable academic and demographic profile; and (xvi) plans for disseminating successes and innovations of the charter school to other non-charter public schools.

(f) The student recruitment and retention plan required under clause (xv) of subsection (e) shall include, but not be limited to, a detailed description of deliberate, specific strategies the school will use to maximize the number of students who successfully complete all school requirements and prevent students from dropping out. The student recruitment and retention plan shall be updated annually and shall include annual goals for: (i) recruitment activities; (ii) student retention activities; and (iii) student retention.

(g) To ensure that a commonwealth charter school shall fulfill its obligations under its recruitment and retention plan, the school district or districts from which the commonwealth charter school is expected to enroll students shall annually provide, at the request of a commonwealth charter school, to a third party mail house authorized by the department, the addresses for all students in the district eligible to enroll in the school, unless a student's parent or guardian requests

that the district withhold that student's information; provided, however, that the department may require the charter school to send the mailing in the most prevalent languages of the district or districts that the charter school is authorized to serve.

At the request of a school district from which a commonwealth charter school enrolls students, the charter school shall provide to a third party mail house the addresses for all students currently enrolled in the commonwealth charter school from the district; provided, however, that the information shall not be provided if a student's parent or guardian requests that the school withhold that student's information. Each district shall be permitted to supply a mailing to the third party mail house and pay for it to be copied and mailed to families of students from said district enrolled in the commonwealth charter school.

(h) An application submitted for the establishment of a commonwealth charter school shall: (i) be submitted to the board for approval under this section; and (ii) be filed with the local school committee for each school district from which the charter school is expected to enroll students. Before final approval to establish a commonwealth charter school, the board shall hold a public hearing on the application in the school district in which the proposed charter school is to be located and solicit and review comments on the application from the local school committee of each school district from which the charter school is expected to enroll students and any contiguous districts. At least 1 member of the board shall attend the public hearing. A comprehensive written summary of all materials prepared by the department or its administrative subdivisions, which evaluates or recommends approval or disapproval of a charter application must be delivered to the members of the board, the applicant, in support of, or in opposition to, the school submitted not later than 3 days before any board vote on the charter application.

All material in support of, or in opposition to, the school submitted to the department or the board shall be made available to the applicant and affected school districts before a vote by the board on a commonwealth charter school application.

(i) (1) Not more than 120 charter schools shall be allowed to operate in the commonwealth at any time, excluding those approved pursuant to paragraph (3); provided, however, that of the 120 charter schools, not more than 48 shall be Horace Mann charter schools; provided, however, notwithstanding subsection (c) the 14 new Horace Mann charter schools shall not be subject to the requirement of an agreement with the local collective bargaining unit prior to board approval; provided, further, that after the charter for these 14 new Horace Mann charter schools have been granted by the board, the schools shall develop a memorandum of understanding with the school committee and the local union regarding any waivers to applicable collective

bargaining agreements; provided, further, that if an agreement is not reached on the memorandum of understanding at least 30 days before the scheduled opening of the school, the charter school shall operate under the terms of its charter until an agreement is reached; provided, further, that not less 4 of the new Horace Mann charter schools shall be located in a municipality with more than 500,000 residents; and not more than 72 shall be commonwealth charter schools. The board shall not approve a new commonwealth charter school in any community with a population of less than 30,000 as determined by the most recent United States Census estimate, unless it is a regional charter school. Applications to establish a charter school shall be submitted to the board annually by November 15. The board shall review the applications and grant new charters in February of the following year.

(2) In any fiscal year, no public school district's total charter school tuition payment to commonwealth charter schools shall exceed 9 per cent of the district's net school spending; provided, however, that a public school district's total charter tuition payment to commonwealth charter schools shall not exceed 18 per cent of the district's net school spending if the school district qualifies under paragraph (3). The commonwealth shall incur charter school tuition payments for siblings attending commonwealth charter schools to the extent that their attendance would otherwise cause the school district's charter school tuition payments to exceed 9 per cent of the school district's net school spending or 18 per cent for those districts that qualify under said paragraph (3).

Not less than 2 of the new commonwealth charters approved by the board in any year shall be granted for charter schools located in districts where overall student performance on the statewide assessment system approved by the board under section 11 of chapter 69 is in the lowest 10 per cent statewide in the 2 years preceding the charter application.

In any fiscal year, the board shall approve only 1 regional charter school application of any commonwealth charter school located in a school district where overall student performance on the statewide assessment system is in the top 10 per cent in the year preceding charter application. The board may give priority to applicants that have demonstrated broad community support, an innovative educational plan, a demonstrated commitment to assisting the district in which it is located in bringing about educational change and a record of operating at least 1 school or similar program that demonstrates academic success and organizational viability and serves student populations similar to those the proposed school seeks to serve.

(3) In any fiscal year, if the board determines based on student performance data collected pursuant to section 11, said district is in the lowest 10 per cent of all statewide student performance scores released

in the 2 consecutive school years before the date the charter school application is submitted, the school district's total charter school tuition payment to commonwealth charter schools may exceed 9 per cent of the district's net school spending but shall not exceed 18 per cent. For a district qualifying under this paragraph whose charter school tuition payments exceed 9 per cent of the school district's net school spending, the board shall only approve an application for the establishment of a commonwealth charter school if an applicant, or a provider with which an applicant proposes to contract, has a record of operating at least 1 school or similar program that demonstrates academic success and organizational viability and serves student populations similar to those the proposed school seeks to serve, from the following categories of students, those: (i) eligible for free lunch; (ii) eligible for reduced price lunch; (iii) that require special education; (iv) limited English-proficient of similar language proficiency level as measured by the Massachusetts English Proficiency Assessment examination; (v) sub-proficient, which shall mean students who have scored in the "needs improvement", "warning" or "failing" categories on the mathematics or English language arts exams of the Massachusetts Comprehensive Assessment System for 2 of the past 3 years or as defined by the department using a similar measurement; (vi) who are designated as at risk of dropping out of school based on predictors determined by the department; (vii) who have dropped out of school; or (viii) other at-risk students who should be targeted to eliminate achievement gaps among different groups of students. For a district approaching its net school spending cap, the board shall give preference to applications from providers building networks of schools in more than 1 municipality. The recruitment and retention plan of charter schools approved under this paragraph shall, in addition to the requirements under subsections (e) and (f), include, but not limited to: (i) a detailed description of deliberate, specific strategies the charter school shall use to attract, enroll and retain a student population that, when compared to students in similar grades in schools from which the charter school shall enroll students, contains a comparable or greater percentage of special education students or students who are limited English-proficient of similar language proficiency as measured by the Massachusetts English Proficiency Assessment examination and 2 or more of the following categories: students eligible for free lunch; (ii) students eligible for reduced price lunch; students who are sub-proficient, those students who have scored in the "needs improvement", "warning" or "failing" categories on the mathematics or English language arts exams of the Massachusetts Comprehensive Assessment System for 2 of the past 3 years or as defined by the department using a similar measurement; (iii) students who are determined to be at risk of dropping out of school based on predictors determined by the department; (iv) students who

have dropped out of school; or (v) other at-risk students who should be targeted in order to eliminate achievement gaps among different groups of students. A charter school approved under this section shall supply a mailing in the most prevalent languages of the district the charter is authorized to serve to a third party mail house and pay for it to be copied and mailed to eligible students. If a school is or shall be located in a district with 10 per cent or more of limited English-proficient students, the recruitment strategies shall include a variety of outreach efforts in the most prevalent languages of the district. The recruitment and retention plan shall be updated each year to account for changes in both district and charter school enrollment.

If a district is no longer in the lowest 10 per cent, the net school spending cap shall be 9 per cent, unless the district net school spending was above 9 per cent in the year prior to moving out of the lowest 10 per cent in which case the net school spending cap shall remain at the higher level plus enrollment previous approved by the board. The department shall determine and make available to the public a list of the school districts in said lowest 10 per cent.

(j) The board shall make the final determination on granting charter school status and may condition charters on the applicant's taking certain actions or maintaining certain conditions. The board shall establish criteria for the approval of a charter application and recommendations to the board shall be based upon and reference those criteria.

If a final application is deemed inadequate by the department, the department may provide feedback to the applicant and invite it to submit a stronger application subsequently. Once a final application has been filed, only minor, non-substantive amendments shall be allowed. The department shall maintain a written detailed summary of interviews it conducts with final charter applicants and include that summary with the final application materials that are provided to the board, local school officials and the public.

(k) A charter school established under a charter granted by the board shall be a body politic and corporate with all powers necessary or desirable for carrying out its charter program, including, but not limited to, the power to:

- (1) adopt a name and corporate seal; provided that any name selected must include the words "charter school";
- (2) sue and be sued, but only to the same extent and upon the same conditions that a municipality can be sued;
- (3) acquire real property, from public or private sources, by lease, lease with an option to purchase or by gift, for use as a school facility; provided, however, in the case of a Horace Mann charter school, the approval of the local school committee shall be obtained before acquisition of any such real property owned or controlled by the body;

- (4) receive and disburse funds for school purposes;
- (5) make contracts and leases for the procurement of services, equipment and supplies; provided, however, that if the charter school intends to procure substantially all educational services under contract with another person, the terms of such a contract must be approved by the board either as part of the original charter or by way of an amendment thereto; provided, further that the board shall not approve any such contract terms, the purpose or effect of which is to avoid the prohibition of this section against charter school status for private and parochial schools;
- (6) incur temporary debt in anticipation of receipt of funds; provided that a Horace Mann school shall obtain the approval of the local school committee and appropriate local appropriating authorities and officials relative to any proposed lien or encumbrance upon public school property or relative to any financial obligation for which the local school district shall become legally obligated; and provided further, that notwithstanding any general or special law to the contrary, the terms of repayment of any charter school's debt shall not exceed the duration of the school's charter without the approval of the board;
- (7) solicit and accept grants or gifts for school purposes; and
- (8) have such other powers available to a business corporation formed under chapter 156B that are not inconsistent with this chapter.
- (l) Charter schools shall not charge a public school for the use or replication of a part of their curriculum subject to the prescriptions of a contract between the charter schools and any third party providers.
- (m) Charter schools shall be open to all students, on a space available basis, and shall not discriminate on the basis of race, color, national origin, creed, sex, ethnicity, sexual orientation, mental or physical disability, age, ancestry, athletic performance, special need, or proficiency in the English language or a foreign language or academic achievement. Charter schools may limit enrollment to specific grade levels and may structure curriculum around particular areas of focus such as mathematics, science or the arts. There shall be no application fee for admission to a charter school. There shall be no tuition charge for students attending charter schools.
- (n) Preference for enrollment in a commonwealth charter school shall be given to students who reside in the city or town in which the charter school is located. Priority for enrollment in a Horace Mann charter school shall be given first to students actually enrolled in the school on the date that the application is filed with the board and to their siblings; second to other students actually enrolled in the public schools of the district where the Horace Mann charter school is to be located; and third to other resident students.

If the total number of students who are eligible to attend and apply to a charter school and who reside in the city or town in which the charter

school is located or are siblings of students already attending said charter school, is greater than the number of spaces available, an admissions lottery, including all eligible students applying, shall be held to fill all of the spaces in that school from among the students. If there are more spaces available than eligible applicants from the city or town in which the charter school is located and who are siblings of current students and more eligible applicants than spaces left available, a lottery shall be held to determine which of the applicants shall be admitted; provided, however, that a lottery conducted for Horace Mann charter schools shall reflect the enrollment priorities of this section. Notwithstanding this subsection, upon application by the board of trustees of a charter school or by the persons or entities seeking to establish a charter school, the board may amend or grant a charter designating such school a regional charter school; provided, however, that such regional charter school shall be exempt from the local preference provision of this paragraph; provided further, that such regional charter school shall continue to grant a preference of siblings of currently enrolled students; and provided further, that if the number of applicants remaining is greater than the number of spaces available, such regional charter school shall conduct a single lottery to determine which applicants shall be admitted.

In any instance where a charter school approved after January 1, 2011 enrolls more than 20 per cent of its total enrollment from school districts not included in its original charter pursuant to subsection (h) for 2 consecutive years, the charter school shall submit an application to the board for an amendment to its charter that reflects its actual enrollment patterns; provided further that upon renewal of a charter school approved prior to January 1, 2011, the board shall establish a timeline of not less than 5 years for the charter to comply with this requirement.

Nothing in this section shall be construed to require a charter school to unenroll any student currently in attendance at the time this act takes effect.

When a student stops attending a charter school for any reason, the charter school shall fill the vacancy with the next available student on the waitlist for the grade in which the vacancy occurs and shall continue through the waitlist until a student fills the vacant seat. If there is no waitlist, a charter school shall publicize an open seat to the students of the sending district or districts and make attempts to fill said vacant seat. Charter schools shall attempt to fill vacant seats up to February 15, provided, however, that charter schools may but are not required to fill vacant after February 15. If a vacancy occurs after February 15, such vacancy shall remain with the grade cohort and shall be filled in the following September if it has not previously been filled. A vacancy occurring after February 15 shall not be filled by adding a

student to a lower grade level. Charter schools shall attempt to fill vacant seats up to February 15, excluding seats in the last half of the grades offered by the charter school, and grades 10, 11 and 12. Within 30 days of a vacancy being filled, the charter school shall send the name of the student filling such vacancy to the department for the purposes of the department updating its waitlist.

The names of students who entered the lottery but did not gain admission shall be maintained on a waitlist, which shall be forwarded to the department not later than June 1 in the year in which the lottery is held. In addition to the names of students, the school shall supply to the department each student's home address, telephone number, grade level and other information the department deems necessary. The department shall maintain a consolidated waitlist for each municipality in order to determine the number of individual students in each municipality seeking admission to charter schools.

(o) Each charter school shall annually, not later than April 1, notify each public school district in writing of the number and grade levels of students who will be attending the charter school from that district the following September as well as the number of new students who will be transferring from that district to the charter school in the following September. Tuition for charter school students shall only be paid for the number of students for whom notification has been reported by April 1. Tuition for charter school students shall be paid only for students actually enrolled in the school.

(p) A student may withdraw from a charter school at any time and enroll in another public school where the student resides.

A student may be expelled from a charter school based on criteria determined by the board of trustees, and approved by the board, with the advice of the principal and teachers; provided, however, that charter school policies shall be consistent with sections 37H and 37H½.

(q) A charter school may be located in part of an existing public school building, in space provided on a private work site, in a public building or any other suitable location; provided, however, that no school building assistance funds authorized under chapter 70B shall be awarded to a commonwealth charter school for the purpose of constructing, reconstructing or improving a commonwealth charter school.

(r) The school committee of each district where a Horace Mann charter school is located shall develop a plan to disseminate innovative practices of the charter school to other public schools within the district subject to the provisions of any contract between the Horace Mann charter school and any third party provider.

The commissioner shall facilitate the dissemination of successful innovation programs of charter schools and provide technical assistance for other school districts to replicate such programs. Each

charter school shall collaborate with its sending district on the sharing of innovative practices.

(s) A charter school shall operate in accordance with its charter and the provisions of law regulating other public schools; provided, however, that sections 41 and 42 shall not apply to employees of commonwealth charter schools. Charter schools shall comply with the chapters 71A and 71B; provided, however, that the fiscal responsibility of a special needs student currently enrolled in or determined to require a private day or residential school shall remain with the school district where the student resides. If a charter school expects that a special needs student currently enrolled in the charter school may be in need of the services of a private day or residential school, it shall convene an individual education plan team meeting for the student. Notice of the team meeting shall be provided to the special education department of the school district in which the child resides at least 5 days in advance. Personnel from the school district in which the child resides shall be allowed to participate in the team meeting concerning future placement of the child.

(t) Horace Mann charter schools shall be exempt from local collective bargaining agreements to the extent provided by the terms of its charter; provided, however, that employees of the Horace Mann charter school shall continue to be members of the local collective bargaining unit and shall accrue seniority and shall receive, at a minimum, the salary and benefits established in the contract of the local collective bargaining unit where the Horace Mann charter school is located. Employees of Horace Mann charter schools shall be exempt from all union and school committee work rules to the extent provided by the school's charter. Employees in Horace Mann charter schools shall be required to work the full work day and work year to the extent provided by the terms of the school's charter.

(u) Notwithstanding this section or any other general or special law to the contrary, for the purposes of chapter 268A: (i) a charter school shall be deemed to be a state agency; and (ii) the appointing official of a member of the board of trustees of a charter school shall be deemed to be the commissioner. Members of boards of trustees of charter schools operating under the this section shall file a disclosure annually with the state ethics commission, the department and the city or town clerk wherein such charter school is located. The disclosure is in addition to the requirements of said chapter 268A and a member of a board of trustees must also comply with the disclosure and other requirements of said chapter 268A. The form of the disclosure shall be prescribed by the ethics commission and shall be signed under penalty of perjury. Such form shall be limited to a statement in which members of the board of trustees shall disclose any financial interest that they or a member of their immediate families, as defined in section 1 of said

chapter 268A, have in any charter school located in the commonwealth or in another state or with a person doing business with a charter school.

Each member of a board of trustees of a charter school shall file such disclosure for the preceding calendar year with the commission within 30 days of becoming a member of the board of trustees, by September 1 of each year thereafter that the person is a member of the board and by September 1 of the year after the person ceases to be a member of the board; provided, however, that no member of a board of trustees shall be required to file a disclosure for the year in which he ceases to be a member of the board if he served less than 30 days in that year.

(v) Students in charter schools shall be required to meet the same performance standards, testing and portfolio requirements set by the board for students in other public schools.

(w) The board of trustees, in consultation with the teachers, shall determine the school's curriculum and develop the school's annual budget. The board of trustees of each Horace Mann charter school shall annually submit to the superintendent and school committee of the district in which the school is located a budget request for the following fiscal year. The school committee shall act on the budget request in conjunction with its actions on the district's overall budget. Each Horace Mann charter school shall receive in response to the budget request not less than it would have under the district's budgetary allocation rules. The board of trustees may appeal any disproportionate budgetary allocation to the commissioner, who shall determine an equitable funding level for the school and shall require the school committee to provide the funding.

Following the appropriation of the district's operating budget for the fiscal year, the amount approved by the local appropriating authority for the operation of each Horace Mann charter school shall be available for expenditure by the board of trustees of the school for any lawful purpose without further approval by the superintendent or the school committee. A Horace Mann charter school shall not expend or incur obligations in excess of its budget request; provided, however, that a Horace Mann charter school may spend federal and state grants and other funds received independent of the school district not accounted for in the charter school's budget request without prior approval from the superintendent or the school committee.

(x) Upon approval of a Horace Mann charter school by the board, the superintendent where the Horace Mann charter school is to be located shall reassign, to the extent provided by the terms of its charter, any faculty member who wishes to be reassigned to another school located within the district.

(y) Employees of charter schools shall be considered public employees for purposes of tort liability under chapter 258 and for collective

bargaining purposes under chapter 150E. The board of trustees shall be considered the public employer for purposes of tort liability under said chapter 258 and for collective bargaining purposes under said chapter 150E; provided, however, that in the case of a Horace Mann charter school, the school committee of the school district in which the Horace Mann charter school is located shall remain the employer for collective bargaining purposes under said chapter 150E. Teachers employed by a charter school shall be subject to the state teacher retirement system under chapter 32 and service in a charter school shall be creditable service within the meaning thereof.

A charter school shall recognize an employee organization designated by the authorization cards of 50 per cent of its employees in the appropriate bargaining unit as the exclusive representative of all the employees in such unit for the purpose of collective bargaining.

(z) Each local school district shall be required to grant a leave of absence to any teacher in the public schools system requesting such leave to teach in a commonwealth charter school. A teacher may request a leave of absence for up to 2 years.

At the end of the second year, the teacher may either return to his former teaching position or, if he chooses to continue teaching at the commonwealth charter school, resign from his school district position.

(aa) Notwithstanding section 59C, the internal form of governance of a charter school shall be determined by the school's charter.

(bb) A charter school shall comply with all applicable state and federal health and safety laws and regulations.

(cc) The students who reside in the school district in which the charter school is located shall be provided transportation to the charter school by the resident district's school committee on similar terms and conditions as transportation is provided to students attending local district schools if the transportation is requested by the charter school.

In providing the transportation, the school committee shall accommodate the particular school day and school year of the charter school; provided, however, that in the event that a school committee limits transportation for district school students, the school district shall not be required to provide transportation to any commonwealth charter school beyond the limitations. A charter school and the sending district shall meet to plan bus routes and charter school starting and ending times in order to assist the district with cost effective means of transportation. Schools operating under a charter granted after January 1, 1997, and all charter schools operating during fiscal year 1999 and thereafter, shall not receive funds for transportation above the amount actually required by such charter school for the provision of transportation services to eligible students. If the sending district provides an alternative method of transportation for students enrolled in the sending district's public schools, it shall not be assessed for

transportation costs which exceed the per pupil cost of said alternative. Costs for transportation shall be included only if transportation is provided for students in the same program and grade level as those in the charter school. Students who do not reside in the district in which the charter school is located shall be eligible for transportation in accordance with section 12B of chapter 76. A regional charter school as designated by the board, and whose charter provides for transportation of all students from charter municipalities shall also be reimbursed by the commonwealth under section 16C of chapter 71 for transportation provided to pupils residing outside the municipality where the charter school is located, but no reimbursement for transportation between the charter school and home shall be made on account of any pupil who resides less than 1.5 miles from the charter school, measured by a commonly traveled route. If a charter school provides its own transportation, the school shall coordinate and collaborate with the sending district to provide cost effective means of transportation. All such transportation shall be determined in advance of the approval of the district's final budget for a fiscal year; provided, however, that a commonwealth charter school shall be required to determine such transportation in the first year of its operation as soon as practicable.

(dd) A charter granted by the board shall be for 5 years. The board shall develop procedures and guidelines for revocation and renewal of a school's charter; provided, however, that a charter for a Horace Mann charter school shall not be renewed by the board without a majority vote of the school committee and local collective bargaining unit in the district where said charter school is located; provided, however, that a commonwealth charter shall not be renewed unless the board of trustees of the charter school has documented in a manner approved by the board that said commonwealth charter school has provided models for replication and best practices to the commissioner and to other public schools in the district where the charter school is located. When deciding on charter renewal, the board shall consider progress made in student academic achievement, whether the school has met its obligations and commitments under the charter, the extent to which the school has followed its recruitment and retention plan by using deliberate, specific strategies towards recruiting and retaining the categories of students enumerated in paragraph (3) of subsection (i) and the extent to which the school has enhanced its plan as necessary. The board may impose conditions on the charter school upon renewal if it fails to adhere to and enhance its recruitment and retention plan as required. When deciding on charter renewal, the board shall take into account the annual attrition of students. The board shall also consider innovations that have been successfully implemented by the charter school and the evidence that supports the effectiveness of these

practices. Upon renewal of its charter, a school shall update and enhance its recruitment and retention plan as necessary to account for changes in enrollment.

(ee) The board may revoke a school's charter if the school has not fulfilled any conditions imposed by the board in connection with the grant of the charter or the school has violated any provision of its charter. The board may place conditions on a charter or may place a charter school on a probationary status to allow the implementation of a remedial plan after which, if said plan is unsuccessful, the charter may be summarily revoked.

(ff) Commonwealth charter schools shall be funded as follows: the commonwealth shall pay a tuition amount to the charter school, which shall be the sum of the tuition amounts calculated separately for each district sending students to the charter school. Tuition amounts for each sending district shall be calculated by the department using the formula set forth herein, to reflect, as much as practicable, the actual per pupil spending amount that would be expended in the district if the students attended the district schools. The tuition amount shall be calculated separately for each district sending students to a charter school, and for each charter school to which a district sends students. Each district's per pupil tuition amount for each charter school to which it sends students shall include a per pupil foundation budget component, adjusted to reflect the actual net school spending in the sending district. In calculating the per pupil foundation budget component, the department shall calculate a foundation budget for the students from each sending district attending the charter school in the previous fiscal year, pursuant to the provisions of section 2 of chapter 70; provided, that the department shall not include in said calculation the assumed tuitioned-out special education enrollment, nor any amounts generated by said assumed enrollment, as defined by said section 2. The per pupil foundation budget component shall be the district's foundation budget for the charter school, as so calculated, divided by the number of students attending the charter school from the sending district in the previous fiscal year. The per pupil foundation budget component shall be calculated separately for each charter school to which a district sends students. The foundation budget for a charter school shall be the sum of the foundation budgets for the charter school for each district sending students to the charter school.

In adjusting the per pupil foundation budget component, the department shall calculate for each sending district an above foundation spending percentage, which shall be the percentage by which the district's actual net school spending exceeds the foundation budget for the district, as calculated pursuant to the provisions of chapter 70. The department shall further calculate the percentage of actual net school spending reported by the sending district associated with tuition costs

for tuitioned-out special education students, including education that occurs in educational collaboratives, and with spending on health care costs for retired employees, for any district for which such costs are included in net school spending, and shall reduce the district's above foundation spending percentage proportionately. The per pupil foundation budget component for each charter school to which the sending district sends students shall be increased by said adjusted above foundation spending percentage.

The total tuition amount owed by a sending district to a charter school shall be the per pupil tuition amount as defined above, multiplied by the total number of students attending the charter school from that district in the current fiscal year. The sending district's total charter school tuition amount for purposes of the following paragraphs shall be the sum of the district's tuition amounts for each charter school to which the district sends students, calculated using the provisions of this section. The receiving charter school's total charter school tuition amount shall be the sum of the tuition amounts calculated for the charter school for each district sending students to the charter school. If a charter school student previously attended a private or parochial school or was home schooled, the commonwealth shall assume the first year cost for that student and shall not reduce the sending district's chapter 70 aid for that student's tuition in that fiscal year.

The state treasurer is hereby authorized and directed to deduct a district's total charter school tuition amount, as calculated herein, from the total state school aid, as defined in section 2 of said chapter 70, of the district in which the student resides prior to the distribution of said aid. In the case of a child residing in a municipality which belongs to a regional school district, the charter school tuition amount shall be deducted from said chapter 70 education aid of the school district appropriate to the grade level of the child. If, in a single district, the total of all such deductions exceeds the total of said education aid, this excess amount shall be deducted from other aid appropriated to the city or town. If, in a single district, the total of all such deductions exceeds the total state aid appropriated, the commonwealth shall appropriate this excess amount; provided, however, that if said district has exempted itself from the provisions of said chapter 70 by accepting section 14 of said chapter 70, the commonwealth shall assess said district for said excess amount.

The state treasurer is hereby further authorized and directed to disburse to the charter school an amount equal to the charter school's total charter school tuition amount as defined above.

If more than 1 charter school is managed by a single network or board of trustees, funding shall not be transferred among individual schools within the network unless such schools are located in the same school district.

The department shall, subject to appropriation, provide funding to charter schools for a portion of the per pupil capital needs component included in the charter tuition amount and shall reimburse the sending school districts for said costs. In fiscal year 2011 and thereafter, such funding shall not be less than the per pupil amount provided in fiscal year 2010.

(gg) Any district whose total charter school tuition amount is greater than its total charter school tuition amount for the previous year shall be reimbursed by the commonwealth in accordance with this paragraph and subject to appropriation; provided, however, that no funds for said reimbursements shall be deducted from funds distributed pursuant to chapter 70. The reimbursement amount shall be equal to 100 per cent of the increase in the year in which the increase occurs and 25 per cent in the second, third, fourth, fifth and sixth years following.

(hh) If the unencumbered amount of cumulative surplus revenue from tuition held by a charter school at the end of a fiscal year, less (i) the amount of the fourth quarter tuition payment, (ii) the amount held in reserve for the purchase or renovation of an academic facility pursuant to a capital plan, and (iii) any reserve funds held as security for bank loans, exceeds 20 per cent of its operating budget and its budgeted capital costs for the succeeding fiscal year as is reported in a capital plan to be submitted in the school's most recent annual report, the amount in excess of said 20 per cent shall be returned by the charter school to the sending district or districts and the state in proportion to their share of tuition paid during the fiscal year. At the end of each fiscal year, the commissioner shall certify the amounts described above and the amount, if any, by which it exceeds 20 per cent of the school's operating budget and its budgeted capital costs for the succeeding fiscal year, and shall report such amount to the school committee of the sending district or districts and the applicable board of selectmen or city council by December 1 of each year. A charter school shall annually make any payment required by this subsection no later than December 31.

(ii) No teacher shall be hired by a commonwealth charter school who is not certified pursuant to section 38G unless the teacher has successfully passed the state teacher test as required in said section 38G.

(jj) Each charter school shall submit an annual report, no later than August 1, to the board, the local school committee, each parent or guardian of its enrolled students and each parent or guardian contemplating enrollment in that charter school. The annual report shall be in such form as may be prescribed by the board and shall include, but not be limited to: (i) discussion of progress made toward the achievement of the goals set forth in the charter; and (ii) a financial statement setting forth by appropriate categories the revenue and expenditures for the year just ended and a balance sheet setting forth

the charter school's assets, liabilities and fund balances or equities. The department shall promulgate regulations creating a reporting requirement for a charter school's net asset balance at the end of the fiscal year; provided, however, that said regulations shall require, without limitation, the following: the revenue and expenditures for the year just ended with a specific accounting of the uses of public and private dollars; how the capital needs component of the charter school's tuition was spent; compensation and benefits for teachers, staff, administrators, executives, and board of trustees; the amount of any and all funds transferred to a management company; the sources of any surplus funds, specifically whether they are private or public; how any surplus funds were used in the previous fiscal year; and the planned use of any surplus funds in the upcoming fiscal year on in future fiscal years.

Each charter school shall keep an accurate account of all its activities and all its receipts and expenditures and shall annually cause an independent audit to be made of its accounts. Such audit shall be filed annually on or before January 1 with the department and the state auditor and shall be in a form prescribed by the state auditor. The state auditor may investigate the budget and finances of charter schools and their financial dealings, transactions and relationships, and shall have the power to examine the records of charter schools and to prescribe methods of accounting and the rendering of periodic reports.

(kk) The commissioner shall collect data on the racial, ethnic and socio-economic make-up of the student enrollment of each charter school in the commonwealth. The commissioner shall also collect data on the number of students enrolled in each charter school who have individual education plans pursuant to chapter 71B and those requiring English language learners programs under chapter 71A. The commissioner shall file said data annually with the clerks of the house and senate and the joint committee on education not later than December 1.

(ll) Individuals or groups may complain to a charter school's board of trustees concerning any claimed violations of the provisions of this section by the school. If, after presenting their complaint to the trustees, the individuals or groups believe their complaint has not been adequately addressed, they may submit their complaint to the board which shall investigate such complaint and make a formal response.

(mm) The board shall promulgate regulations for implementation and enforcement of this section.

SECTION 8. Said chapter 71 is hereby further amended by adding the following section:-

Section 92. (a) An Innovation School shall be a public school,

operating within a public school district, that is established for the purpose of improving school performance and student achievement through increased autonomy and flexibility. An Innovation School may be established as a new public school or as a conversion of an existing public school. A student who is enrolled in a school at the time it is established as an Innovation School shall retain the ability to remain enrolled in the school if the student chooses to do so.

(b) An Innovation School may establish an advisory board of trustees. An Innovation School shall have increased autonomy and flexibility in 1 or more of the following areas: (i) curriculum; (ii) budget; (iii) school schedule and calendar; (iv) staffing policies and procedures, including waivers from or modifications to, contracts or collective bargaining agreements; (v) school district policies and procedures; and (vi) professional development. An Innovation School shall receive each school year from the school committee the same per pupil allocation as any other district school receives. An Innovation School may retain any unused funds and use the funds in subsequent school years. An Innovation School may establish a non-profit organization that may, among other things, assist the school with fundraising. A district shall not reduce its funding to an Innovation School as a result of the school's fundraising activities.

(c) An Innovation School established under this section shall be authorized by the local school committee and shall operate according to an innovation plan, which shall articulate the areas of autonomy and flexibility under subsection (b). To the extent practicable, the innovation plan shall be based on student outcome data, including, but not limited to: (i) student achievement on the Massachusetts Comprehensive Assessment System; (ii) other measures of student achievement, approved by the commissioner, as appropriate; (iii) student promotion, graduation rates and dropout rates; (iv) achievement data for different subgroups of students, including low-income students as defined by chapter 70, limited English-proficient students and students receiving special education; and (v) student attendance, dismissal rates and exclusion rates.

An Innovation School shall operate in accordance with the law regulating other public schools, except as the law conflicts with this section or any innovation plans created thereunder.

(d) An Innovation School is a school in which: (i) faculty and leadership are primarily responsible for developing the innovation plan under which the school operates and leadership is responsible for meeting the terms of the innovation plan; or (ii) an external partner is primarily responsible for developing the innovation plan under which the school operates and the external partner is responsible for meeting the terms of the innovation plan.

(e) Nothing in this section shall be construed to prohibit: (i) the

establishment of an Innovation School as an academy within an existing public school; (ii) the establishment of an Innovation School serving students from 2 or more school districts; provided, however, that all of the provisions of this section are met by each school district; (iii) the simultaneous establishment of 2 or more Innovation Schools as an Innovation Schools Zone within a school district; or (iv) the establishment of an Innovation School as a virtual public school that provides instruction to students through distance learning, including online learning programs and courses, subject to regulations adopted by the board of elementary and secondary education.

(f) The following shall be eligible applicants for the purposes of establishing an Innovation School: (i) parents; (ii) teachers; (iii) parent-teacher organizations; (iv) principals; (v) superintendents; (vi) school committees; (vii) teacher unions; (viii) colleges and universities; (ix) non-profit community-based organizations; (x) non-profit business or corporate entities; (xi) non-profit charter school operators; (xii) non-profit education management organizations; (xiii) educational collaboratives; (xiv) consortia of these groups; and (xv) non-profit entities authorized by the commissioner. Private and parochial schools shall not be eligible to operate an Innovation School.

(g) The local school committee, local teacher's union and superintendent of the district shall follow a process, consistent with this subsection and subsections (h) to (o), inclusive, for which an existing district school may be converted to an Innovation School or by which a new Innovation School may be established within the district. This process shall require that an eligible applicant proposing to establish an Innovation School prepare a prospectus regarding the proposed school. The prospectus shall include, but not be limited to, a description of: (i) whether the school will be a new school or a conversion of an existing school; (ii) if the school is a new school, the proposed location of the school; (iii) if the school is a conversion of an existing school, the school that is being proposed for conversion; (iv) the external partners, if any, that will be involved in the school; (v) the number of students the school is anticipated to serve and the number of staff expected to be employed at the school; (vi) the overall vision for the school, including improving school performance and student achievement; (vii) specific needs or challenges the school shall be designed to address; (viii) a preliminary assessment of the autonomy and flexibility under subsection (b) that the school will seek; (ix) why such flexibility is desirable to carry out the objectives of the school; (x) anticipated components of the school's innovation plan; (xi) a preliminary description of the process that shall be used to involve appropriate stakeholders in the development of the innovation plan; and (xii) a proposed timetable for development and establishment of the proposed school.

(h) Upon completion of the prospectus under subsection (g), an eligible applicant shall submit the prospectus to the superintendent, who shall within 30 days convene a screening committee consisting of the superintendent or a designee, a school committee member or a designee selected by the school committee and a representative from the leadership of the local teacher's union.

The screening committee shall review the prospectus for the purpose of determining whether the prospectus: (i) presents a sound and coherent plan for improving school performance and student achievement; (ii) supports or enhances existing educational efforts in the district; and (iii) reasonably can be expanded into a comprehensive innovation plan. In the case of a new school, the committee will prepare an impact statement describing how the new school will affect the children and faculty in the district. Within 30 days of receiving a prospectus, the screening committee shall decide, on the basis of a two-thirds vote, to accept or reject the prospectus, or return the prospectus to the eligible applicant for revisions. If a prospectus is rejected or returned, the screening committee shall submit a detailed explanation for the decision to the applicant. A prospectus that is rejected or returned may be revised and resubmitted for subsequent consideration.

(i) Upon the acceptance of a prospectus by the screening committee under subsection (h), the applicant shall form an innovation plan committee of not more than 11 individuals within 30 days. The purpose of the innovation plan committee shall be to: (i) develop the innovation plan described in subsection (c); (ii) assure that appropriate stakeholders are represented in the development of the proposed Innovation School; and (iii) provide meaningful opportunities for the stakeholders to contribute to the development of such school. The size and composition of the innovation plan committee shall be determined by the applicant; provided, however, that the committee shall include: (i) the applicant; (ii) the superintendent or a designee; (iii) a school committee member or a designee; (iv) a parent who has 1 or more children enrolled in the school, or in the case of a new school, from the district; (v) a principal employed by the district; and (vi) 2 teachers employed by the district. The applicant shall select the parent from among nominees submitted by parent-teacher organizations in the district. If the district does not contain a parent-teacher organization or if the organization does not submit nominees, the applicant shall select the parent from among volunteers in the area or community the proposed school is expected to serve. The applicant shall select the principal and 1 teacher from among volunteers in the district and 1 teacher from among nominees submitted by the local teacher's union.

(j) Upon the formation of the innovation plan committee in subsection (i), the committee shall develop the innovation plan for the proposed Innovation School. The purpose of the innovation plan shall be to

comprehensively articulate the areas of autonomy and flexibility under subsection (b) that the proposed school will use. The innovation plan shall include, but not be limited to: (i) a curriculum plan, which shall include a detailed description of the curriculum and related programs for the proposed school and how the curriculum is expected to improve school performance and student achievement; (ii) a budget plan, which shall include a detailed description of how funds shall be used differently in the proposed school to support school performance and student achievement; (iii) a school schedule plan, which shall include a detailed description of the ways, if any, the program or calendar of the proposed school will be enhanced or expanded; (iv) a staffing plan, which shall include a detailed description of how the school principal, administrators, faculty and staff will be recruited, employed, evaluated and compensated in the proposed school and any proposed waivers or modifications of collective bargaining agreements; (v) a policy and procedures plan, which shall include a detailed description of the unique operational policies and procedures to be used by the proposed school and how the procedures shall support school performance and student achievement; and (vi) a professional development plan, which shall include a detailed description of how the school may provide high-quality professional development to its administrators, teachers and staff.

In order to assess the proposed school across multiple measures of school performance and student success, the innovation plan shall include measurable annual goals including, but not limited to, the following: (i) student attendance; (ii) student safety and discipline; (iii) student promotion and graduation and dropout rates; (iv) student achievement on the Massachusetts Comprehensive Assessment System; (v) progress in areas of academic underperformance; and (vi) progress among subgroups of students, including low-income students as defined by chapter 70, limited English-proficient students and students receiving special education; (7) reduction of achievement gaps among different groups of students.

A majority vote of the innovation plan committee shall be required for approval of the innovation plan.

(k) The provisions of the collective bargaining agreements applicable to the administrators, teachers and staff in the school shall be considered to be in operation at an Innovation School, except to the extent the provisions are waived or modified under the innovation plan and such waivers or modifications are approved under subsections (l) and (m).

(l) In the case of a school conversion, upon completion of the innovation plan in subsection (j), , the applicant shall submit the innovation plan to teachers in the school that is proposed for conversion for approval by secret ballot within 30 days. A two-thirds

vote of the teachers shall be required to approve the plan. Upon approval of an innovation plan by the applicable union members the plan shall, within 7 days, be submitted to the school committee. If a two-thirds vote is not achieved, the innovation plan committee may revise the innovation plan as necessary and submit the revised plan to the teachers for a subsequent vote.

In the case of a new school, upon the completion of the innovation plan in subsection (j), the applicant, a local union and the superintendent shall negotiate waivers or modifications to the applicable collective bargaining agreement necessary for the school to implement the innovation plan. Upon the conclusion of the negotiations, the innovation plan shall be submitted immediately to the school committee. If the negotiations have not resulted in an agreement within 40 days, either party may petition the division of labor relations for the selection of an arbitrator. The division shall select an arbitrator within 3 days of the petition from a list submitted by the parties. The arbitrator shall conduct a hearing within 14 days of the arbitrator's selection. The arbitrator shall consider the parties' positions and the needs of the students in the district. The arbitrator's decision shall be consistent with the contents of the innovation plan developed by the applicant. The arbitrator shall, within 14 days of the close of the hearing, submit a decision which shall be final and binding on the parties.

(m) Upon receipt of an innovation plan regarding an Innovation School, a school committee shall hold at least 1 public hearing on the innovation plan. After the public hearing, but not later than 60 days after the receipt of the innovation plan, the school committee shall, on the basis of the quality of the plan and in consideration of comments submitted by the public, undertake a final vote to authorize the Innovation School for a period of not more than 5 years, subject to subsection (n). Approval of the majority of the school committee as fully constituted shall be required to authorize an Innovation School. If the approval is not obtained, an innovation plan committee may revise the innovation plan and: (i) in the case of a new school, submit the revised plan to the school committee for a subsequent vote; or (ii) in the case of a conversion, submit the revised plan to the teachers in the school that is proposed for conversion for a vote, pursuant to subsection (l); provided, however, that the plan meets the requirements for approval under subsection (l), submit the revised plan to the school committee for a subsequent vote. A school committee shall vote on a revised plan submitted pursuant to this subsection within 60 days of the receipt of such plan and contract.

(n) All Innovation Schools authorized under subsection (m) shall be evaluated by the superintendent at least annually. The superintendent shall transmit the evaluation to the school committee and the commissioner of elementary and secondary education. The purpose of

the evaluation shall be to determine whether the school has met the annual goals in its innovation plan and assess the implementation of the innovation plan at the school. If the school committee determines, on the advice of the superintendent, that the school has not met 1 or more goals in the innovation plan and that the failure to meet the goals may be corrected through reasonable modification of the plan, the school committee may amend the innovation plan as necessary. After the superintendent assesses the implementation of the innovation plan at the school, the school committee may, on the advice of the superintendent, amend the plan if the school committee determines that the amendment is necessary in view of subsequent changes in the district that affect 1 or more components of the plan, including, but not limited to, changes to contracts, collective bargaining agreements or school district policies; provided, however, that an amendment involving a subsequent change to a teacher contract shall first be approved by teachers at the school under the procedures in subsection (l).

If the school committee determines, on the advice of the superintendent, that the school has substantially failed to meet multiple goals in the innovation plan, the school committee may: (i) limit 1 or more components of the innovation plan; (ii) suspend 1 or more components of the innovation plan; or (iii) terminate the authorization of the school; provided, however, that the limitation or suspension shall not take place before the completion of the second full year of the operation of the school and the termination shall not take place before the completion of the third full year of the operation of the school.

(o) At the end of the period of authorization of an Innovation School approved under subsection (m), the leadership of the school may petition the school committee to extend the authorization of the school for an additional period of not more than 5 years. Before submitting the petition, the leadership of the school shall convene a selection of school stakeholders, including, but not limited to, administrators, teachers, other school staff, parents and external partners, as applicable, to discuss whether the innovation plan at the school requires revision and to solicit recommendations as to the potential revisions. After considering the recommendations of the stakeholder group, the leadership of the school and the applicable superintendent shall jointly update the innovation plan as necessary; provided, however, that a proposal regarding a new waiver or exemption from the local teacher's union contract shall be approved by teachers at the school, under subsection (l). Approval of the majority of the school committee as fully constituted shall be required to extend the period of authorization of an Innovation School. If the approval is not obtained, the leadership of the school and superintendent may jointly revise the innovation plan and submit the revised plan to the school committee for a subsequent

vote. If the school committee does not extend the authorization of the school, the leadership of the school may seek the authorization from the board of elementary and secondary education. The board shall vote on the requested extension within 60 days of its receipt for approval of such extension.

(p) The commissioner of elementary and secondary education shall, to the extent practicable, be responsible for the following: (i) the provision of planning and implementation grants to eligible applicants to establish Innovation Schools; (ii) provision of technical assistance and support to eligible applicants; (iii) the collection and publication of data and research related to the Innovation Schools initiative; (iv) the collection and publication of data and research related to successful programs serving limited English-proficient students attending Innovation Schools; and (v) the collection and dissemination of best practices in Innovation Schools that may be adopted by other public schools. The board of elementary and secondary education shall promulgate regulations necessary to carry out this section. Annually, the commissioner shall report to the joint committee on education, the house and senate committees on ways and means, the speaker of the house of representatives and the senate president on the implementation and fiscal impact of this section.

SECTION 9. For the school districts in which net school spending on charter school tuition does not exceed 18 per cent as set forth in subsection (i) of section 89 of chapter 71, the following shall apply: (1) in fiscal year 2011, a public school district's total charter school tuition payment to commonwealth charter schools shall be limited to 12 per cent of the district's net school spending; (2) in fiscal year 2012, a public school district's total charter school tuition payment to commonwealth charter schools shall be limited to 13 per cent of the district's net school spending; (3) in fiscal year 2013, a public school district's total charter school tuition payment to commonwealth charter schools shall be limited to 14 per cent of the district's net school spending; (4) in fiscal year 2014, a public school district's total charter school tuition payment to commonwealth charter schools shall be limited to 15 per cent of the district's net school spending; (5) in fiscal year 2015, a public school district's total charter school tuition payment to commonwealth charter schools shall be limited to 16 per cent of the district's net school spending; (6) in fiscal year 2016, a public school district's total charter tuition payment to commonwealth charter schools shall be limited to 17 per cent of the district's net school spending; and (7) in fiscal year 2017, a public school district's total charter tuition payment to commonwealth charter schools shall be limited to 18 per cent of the district's net school spending.

SECTION 10. Within 6 months of the receipt of any federal funding through Race to the Top program realized through the adoption of this act, the executive office of education shall report to the house and senate committees on ways and means and the joint committee on education a detailed plan providing for the use and potential future uses of the funding along with an accounting therein.

SECTION 11. Notwithstanding any general or special law to the contrary, the department of elementary and secondary education shall draft a model policy for school districts regarding the grade placement and eligibility for high school graduation of students leaving a commonwealth charter school and seeking to enroll in a district school. In drafting the model policy, the department shall confer with school districts and commonwealth charter schools. The model policy shall be made available not later than December 31, 2010. Until a school district adopts a policy regarding the grade placement or eligibility for high school graduation of students leaving a commonwealth charter school, when determining the appropriate grade placement or eligibility for high school graduation of a student leaving a commonwealth charter school and enrolling in a district school, a district shall examine the course of study and level of academic attainment of the student.

SECTION 12. Notwithstanding any general or special law to the contrary, a charter school whose charter was granted before January 1, 2010 shall have a recruitment and retention plan required under subsection (f) of section 89 of chapter 71 of the General Laws in effect for the 2011-2012 school year or at the time of its next charter renewal, whichever occurs first.

SECTION 13. Notwithstanding subsection (gg) of section 89 of chapter 71 of the General Laws, any district that incurred an increase in commonwealth charter tuition costs between July 1, 2008 and June 30, 2010 shall be reimbursed in an amount equal to 100 per cent of the increase in the year in which the increase occurs, 60 per cent of that amount in the first year following and 40 per cent of that amount in the second year following.

SECTION 14. Notwithstanding any special or general law to the contrary, the department of elementary and secondary education shall study the possibility of allowing students living outside of the commonwealth who are eligible to attend public schools operating in the same geographic area as a charter school or a regional charter school to be eligible to attend the charter or regional charter school. The department shall examine the rules and regulations necessary to implement this change which shall include, but not be limited to,

collection of out-of-state tuition from students living outside of the commonwealth and attending a commonwealth charter school, collection of tuition from foreign exchange students attending a commonwealth charter school and reimbursement of commonwealth charter schools for services rendered to foreign exchange students and students living outside of the commonwealth. The department shall issue its report and its recommendations, if any, together with drafts of legislation necessary to carry those recommendations into effect to the joint committee on education not later than August 15, 2010.

SECTION 15. Notwithstanding any general or special law to the contrary, regional school transportation payments made by the state in any fiscal year through the general appropriations act shall not be lowered by a greater percentage than any reduction made to state chapter 70 payments in that fiscal year.

SECTION 16. Notwithstanding any general or special law to the contrary, the department of elementary and secondary education shall prepare a report on the current status of the public education financing system in the commonwealth as it currently exists. The report shall include, but shall not be limited to, the following: (1) the source of and potential remedies for any existing discrepancies between the fiscal demands placed upon and the fiscal assistance provided to municipalities and school districts with similar fiscal capacity and educational responsibilities, including those placed and provided pursuant to chapter 70; (2) a consideration and evaluation of all the financial resources made available to schools and districts, from all sources, and how they relate to student learning and educational opportunity; and (3) a review of successful educational programs in schools and school districts that achieve their success at relatively lower per pupil costs when compared with schools and districts serving student populations with similar academic and socio-economic characteristics and an assessment of the possibility of replicating such programs in other schools and school districts. In compiling the report, the department shall consult with various education personnel, advocacy organizations, and economic experts. The department shall file said report not later than December 31, 2011 to the joint committee on education.

SECTION 17. By January 1, 2011, the commissioner of elementary and secondary education shall make a report to the house and senate chairs of the joint committee on education on the department's plan to implement the inclusion of improvement in student academic achievement data, as required under sections 1J and 1K of chapter 69 of the General Laws.

Approved, January 19, 2010.

DESE:
two page description of An
Act Relative to the
Achievement Gap – 2011

Description of M.G.L. Ch 69, Section 1J: *An Act Relative to the Achievement Gap Process for “Underperforming” Schools*

An Act Relative to the Achievement Gap, signed into Massachusetts law in January 2010, requires districts with schools designated as underperforming (Level 4) to begin a process for school turnaround designed to support the accelerated improvement of student achievement and a high-functioning learning environment for students within three years. Section 1J of this statute requires that districts with a Level 4 school/s develop a Turnaround Plan for the school/s and sets out a process accordingly. This process is outlined below.

- A. Within 30 Days** of a school being designated as underperforming, the superintendent shall convene a local stakeholder group of not more than 13 individuals to solicit recommendations on a Turnaround Plan. The group shall meet publicly and include:
- 1) *ESE designee*
 - 2) *School committee chair/designee*
 - 3) *Union president/designee*
 - 4) *Administrator from the school (Superintendent choice)*
 - 5) *Teacher from the school (Faculty choice)*
 - 6) *Parent from the school (Parent association)*
 - 7) *Social service representative (Superintendent choice)*
 - 8) *As appropriate, workforce development agencies (Superintendent choice)*
 - 9) *For elementary schools, a representative of an early education and care provider; for middle or high schools, a representative of the higher education community (Superintendent proposes representative; Commissioner of Early Education & Care or Department of Higher Education must approve)*
 - 10) *Community member (Chief executive of town choice)*
- B. Within 45 days** of its initial meeting, the stakeholder group shall make its recommendations to the superintendent. The superintendent “shall provide due consideration to the recommendations”.
- C. Within 30 days** of the local stakeholder group’s recommendations, the superintendent shall create a Turnaround Plan for up to three years.
- C – 1** The plan must include steps to address the following:
- 1) Address achievement gaps (limited English proficient (LEP), special education, low-income)
 - 2) Alternative English language learner programs (“not withstanding chapter 71A”)
 - 3) Financial plan for the school
 - 4) Address social service and health needs (“ready to learn”)
 - 5) Improve or expand child welfare services and law enforcement (“safe and secure learning environment”)
 - 6) Improve workforce development services (“meaningful employment skills and opportunities”)
- C – 2** The Turnaround Plan shall include measurable annual goals, including but not limited to:
- 1) Massachusetts Comprehensive Assessment System (MCAS)
 - 2) Progress in areas of academic underperformance
 - 3) Progress among subgroups
 - 4) Reduction of achievement gaps
 -
 - 5) Student promotion, graduation, and dropout rates
 - 6) Student attendance, dismissal, and exclusion rates

- 7) College readiness
- 8) Developmentally appropriate child assessments (preK-3)
- 9) Acquisition of 21st Century Skills
- 10) Student safety and discipline
- 11) Parent and family engagement
- 12) Building a culture of academic success among students
- 13) Building a culture of student support among school faculty and staff

C – 3 The Superintendent may include the following:

- 1) Expand, alter, or replace the curriculum
- 2) Reallocate existing budget
- 3) Provide additional district funds (up to per-pupil)
- 4) Differentiate compensation of school staff (bargained with union)
- 5) Expand school day and/or year
- 6) Add pre-K and full-day kindergarten
- 7) Require all staff to re-apply for employment (*see lines 237-242 for details on “bumping rights” collective bargaining agreement applies, except no bumping of teacher with professional teaching status “during a school year”*)
- 8) Limit, suspend, or change collective bargaining agreements (as long as reduced pay is commensurate with reduced hours) (*see lines 286-323 for details about the bargaining process: “good faith bargaining” completed within 30 days; ratification within 10 days; unresolved issues submitted to ‘joint resolution committee appointed within 3 days; dispute heard within 10 days; ruling within 10 days; Commissioner resolves if JRC does not make ruling within 10 days*)
- 9) Limit, suspend or change 1 or more school district policy or practice related to the school
- 10) Include job-embedded professional development with teacher input and feedback
- 11) Increase teacher planning time and collaboration focused on improving student instruction
- 12) Plan professional development for administrators that includes leadership skills and distributed leadership
- 13) Provide for a continuum of high-expertise teachers by aligning hiring, induction, evaluation, professional development, advancement, culture, and organizational structure
- 14) Search for and study best practices
- 15) Address mobility and transiency
- 16) Add components based on reasons for underperformance and recommendations of stakeholder group

D. Within 30 days, a school committee or local union may appeal to the commissioner regarding one or more components of the plan.

E. Within 30 days, the commissioner may, in consultation with the superintendent, modify the plan.

F. Each Turnaround Plan shall be authorized for a period of not more than 3 years.

G. The superintendent shall be responsible for meeting the goals of the Turnaround Plan.

H. A teacher with professional teacher status in a Level 4 school may be dismissed for good cause with expedited arbitration. (*see lines 243-257 for details of the process*)

I. The superintendent, in consultation with principal, prepares and submits an annual review of the school’s progress to school committee and commissioner.

DESE:
Proposed changes to
603 CMR 2.00 (first draft) –
2012

Attachment 2: Proposed Changes to 603 CMR 2.00 (Tracked)

603 CMR 2.00: Accountability and Assistance for School Districts and Schools

PROPOSED AMENDMENTS TO REGULATIONS FOR ACCOUNTABILITY AND ASSISTANCE FOR SCHOOL DISTRICTS AND SCHOOLS, 603 CMR 2.00

- Presented to the Board of Elementary and Secondary Education for initial review and vote to solicit public comment: **April 24, 2012**
- Period of public comment: through **June 6, 2012**
- Final action by the Board of Elementary and Secondary Education anticipated: **June 26, 2012**

Background:

These regulations, formerly entitled “Regulations on Underperforming Schools and School Districts,” were adopted by the Board of Education on June 16, 1997. They were most recently amended by the Board on April 27, 2010, following the amendment of M.G.L. c. 69, §§1J and 1K, by Chapter 12 of the Acts of 2010, *An Act Relative to the Achievement Gap*, which was signed into law on January 18, 2010, and took effect immediately.

The proposed amendments would revise 603 CMR 2.00 to:

1. Align the regulations with ESE’s approved flexibility waiver from USDOE related to the Elementary and Secondary Education Act, 20 U.S.C. 6301 et seq. (ESEA);
2. Align the regulations with evolving practice with respect to Level 4 and 5 districts; and
3. Clarify in the regulations the status of districts declared underperforming pursuant to these regulations as they existed before the revisions of April 27, 2010.

Proposed amendments are indicated by underline (new language) and ~~striketrough~~ (deletion). The complete text of the regulations has been included. It is also available at <http://www.doe.mass.edu/lawsregs/603cmr2.html>.

2.01: Authority, Scope and Purpose

- (1) 603 CMR 2.00 is promulgated pursuant to the authority of the Board of Elementary and Secondary Education under M.G.L. c. 69, §§ 1B, 1J, and 1K, and c. 71, § 38G.
- (2) 603 CMR 2.00 governs the review of the educational programs and services provided by the Commonwealth's public schools and the assistance to be provided by districts and the Department to improve them; it identifies the circumstances under which a school may be declared underperforming (placed in Level 4) and those under which a school or school district may be declared chronically underperforming (placed in Level 5), resulting in accountability and assistance in accordance with M.G.L. c. 15, §55A and c. 69, §§ 1J and 1K.
- (3) The purpose of 603 CMR 2.00 is to hold districts and schools accountable for educating their students well and to assist them in improving the education they provide.

2.02: Definitions

~~Accountability Status shall mean the category to which a school or district is assigned, based on its Adequate Yearly Progress (AYP) determinations over multiple years in accordance with the~~

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~~federal Elementary and Secondary Education Act (ESEA). The category defines the required course of school, district and/or state action that must be taken to improve student performance. Accountability status categories include Identified for Improvement, Corrective Action, and Restructuring. Schools that make AYP in a subject for all student groups for two or more consecutive years are assigned to the No Status category. Districts that make AYP for all student groups in one or more gradespans in a subject for two or more consecutive years are also assigned to the No Status category. A district or school may be placed in an accountability status on the basis of the performance and improvement profile of students in the aggregate or of one or more student subgroups over two or more years in English language arts and/or mathematics.~~

~~**Adequate Yearly Process or AYP** shall mean adequate annual district, grade level, school, or student subgroup performance and improvement, as determined by the Department relative to performance and improvement targets in English language arts and mathematics established by the Board in accordance with the federal Elementary and Secondary Education Act (ESEA).~~

Annual Performance Determination shall mean an annual determination of district, grade level, school, or student subgroup achievement and improvement, as determined by the Department relative to indicators including but not limited to achievement and improvement in English language arts, and mathematics, and science, in accordance with the federal Elementary and Secondary Education Act (ESEA).

Behavioral health and public schools framework shall mean the framework developed by the Task Force on Behavioral Health and Public Schools pursuant to St. 2008, c. 321, § 19, to “promote collaboration between schools and behavioral health services and promote supportive school environments where children with behavioral health needs can form relationships with adults and peers, regulate their emotions and behaviors, and achieve academic and nonacademic school success and reduce truancy and the numbers of children dropping out of school.”

Benchmark assessment shall mean an assessment that is given at regular and specified intervals throughout the school year, is designed to evaluate students' knowledge and skills relative to a specific set of academic standards, and produces results that can be aggregated (e.g., by course, grade level, school, or district) in order to inform teachers and administrators at the student, classroom, school, and district levels.

Board shall mean the Board of Elementary and Secondary Education, appointed in accordance with M.G.L. c. 15, § 1E.

Charter School A public school operated under a charter granted by the Board pursuant to M.G.L. c. 71, § 89 and 603 CMR 1.00.

Commissioner shall mean the commissioner of elementary and secondary education, appointed in accordance with M.G.L. c. 15, § 1F, or his or her designee.

Composite Performance Index or CPI shall mean a 100-point index that assigns 100, 75, 50, 25, or 0 points to each student participating in MCAS and MCAS-Alt tests based on their performance. The total points assigned to each student are added together and the sum is divided by the total number of students assessed. The result is a number between 0 and 100, which constitutes a district, school or group's CPI for that subject and student group. The CPI is a measure of the extent to which students are progressing toward proficiency (a CPI of 100) in English Language Arts (ELA) ~~and~~, mathematics, and science. CPIs are generated separately for ELA, ~~and~~ mathematics, and science, and at all levels-state, district, school, and student group.

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Conditions for school effectiveness shall mean certain necessary conditions for schools to educate their students well. These conditions are integrated into the district indicators.

Core subjects shall mean the subjects specified in M.G.L. c. 69, § 1D (mathematics, science and technology, history and social science, English, foreign languages and the arts) and subjects covered in courses that are part of an approved vocational-technical education program under M.G.L. c. 74.

Department shall mean the Department of Elementary and Secondary Education acting through the commissioner or his or her designee.

District or school district shall mean a municipal school department or regional school district, acting through its school committee or superintendent of schools, or a county agricultural school, acting through its board of trustees or superintendent/director. For the purposes of 603 CMR 2.00 it shall not mean a charter school; charter schools are subject to accountability provisions set forth in M.G.L. c. 71, § 89, ~~and~~ 603 CMR 1.00, [and federal law](#).

District Analysis and Review Tool or DART shall mean an electronic interface, using graphics and showing trends, of a sampling of relevant data kept by the Department or submitted to the Department by districts over time in areas including but not limited to district and school demographics, access, performance, educator licensure and turnover, student support, and educational resources.

District Improvement Plan shall mean the comprehensive, three-year improvement plan each district is required to develop under M.G.L. c. 69, § 1I.

District indicators shall mean the detailed performance indicators associated with the district standards and developed by the Department.

District review shall mean a school district audit conducted by the Department under M.G.L. c. 15, § 55A, in accordance with a process and protocol established by the commissioner on behalf of the Board pursuant to M.G.L. c. 69, § 1B, and based on published district standards and indicators.

District review report shall mean the report of a district review by a district review team, as required by M. G.L. c. 15, § 55A.

District review team shall mean a group of individuals appointed by the Department, pursuant to M.G.L. c. 15, § 55A, to conduct a district review.

District standards shall mean the standards listed in 603 CMR 2.03(4)(a) that are the basis for district reviews, improvement planning, and other forms of accountability and assistance.

ESEA shall mean the Elementary and Secondary Education Act, 20 U.S.C. 6301 et seq., reauthorized in 2001 as the No Child Left Behind Act.

Follow-up review shall mean a review conducted following a district review to gather further information, to be used for such purposes as determining whether a Level 4 district should be placed in Level 5 or whether a school or district should be removed from Level 4 or Level 5.

Follow-up review report shall mean the report of a follow-up review.

Formative assessment shall mean assessment questions, tools, and processes that are embedded in instruction and are used by teachers and students to provide timely feedback for purposes of adjusting instruction to improve learning.

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603 CMR 2.00: Accountability and Assistance for School Districts and Schools

Framework for district accountability and assistance shall mean the five-level system for district and school accountability and assistance approved by the Board and implemented by the Department pursuant to 603 CMR 2.03(1).

Level 4 District Plan shall mean a plan for improvement that a district placed in Level 4 is required to develop and implement pursuant to 603 CMR 2.05(8)(b), (c), and (d). In the case of a district in Level 4 that was declared underperforming by the Board before April 27, 2010, Level 4 District Plan shall mean the current version of the ~~turnaround~~ plan the district adopted as a result of having been so declared. A Level 4 District Plan may serve as the district's District Improvement Plan.

Levels 1-5 shall mean the levels in the Department's framework for district accountability and assistance, required by 603 CMR 2.03(1), in which schools and districts in the Commonwealth are placed. See definitions in 603 CMR 2.02 for placing a district in Level 5, placing a school in Level 4, and placing a school in Level 5.

Mathematics content assessment: A diagnostic assessment of mathematics content knowledge approved by the Department that mathematics teachers at a Level 4 or Level 5 school may be required to take, at no cost to the district or the teacher for the assessment instrument or its scoring.

Mathematics teacher: Shall mean any educator who teaches mathematics in a Massachusetts public school.

MCAS shall mean the Massachusetts Comprehensive Assessment System, provided for in M.G.L. c. 69, § 1I.

Monitoring report: a report from an accountability monitor appointed under 603 CMR 2.05(4)(b) or an individual or team appointed under 603 CMR 2.05(4)(c).

Placing a district in Level 5 shall mean declaring that district to be chronically underperforming in accordance with M.G.L. c. 69, § 1K. Level 5 is the last of the five levels in the Department's framework for district accountability and assistance.

Placing a school in Level 4 shall mean designating that school as underperforming in accordance with M.G.L. c. 69, § 1J. Level 4 is the fourth of the five levels in the Department's framework for district accountability and assistance.

Placing a school in Level 5 shall mean designating that school as chronically underperforming in accordance with M.G.L. c. 69, § 1J. Level 5 is the last of the five levels in the Department's framework for district accountability and assistance.

Receiver shall:

(a) for a district, mean a non-profit entity or an individual with a demonstrated record of success in improving low-performing schools or districts or the academic performance of disadvantaged students, appointed by the commissioner on behalf of the Board for a district placed in Level 5, pursuant to M.G.L. c. 69, § 1K(a), and 603 CMR 2.06(3); and

(b) for a school, mean a non-profit entity or an individual with a demonstrated record of success in improving low-performing schools or the academic performance of disadvantaged students, appointed for a school in Level 4 by the superintendent pursuant to M.G.L. c. 69, § 1J(h) and 603 CMR 2.05(7) and for a school in Level 5 by the commissioner pursuant to M.G.L. c. 69, § 1J(r), (v), or (w) and 603 CMR 2.06(5).

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603 CMR 2.00: Accountability and Assistance for School Districts and Schools

School shall mean a single public school, consisting of one or more school buildings, which operates under the direct administration of a principal, director, or school leader appointed by the school district responsible for its governance. For the purposes of 603 CMR 2.00 it shall not mean a charter school; charter schools are subject to accountability provisions set forth in M.G.L. c. 71, § 89, ~~and~~ 603 CMR 1.00, and federal law.

School Improvement Plan shall mean the plan for improved student performance each school is required to develop annually under M.G.L. c. 69, § 1I.

School review shall mean a school audit conducted by the Department under M.G.L. c. 15, § 55A, in accordance with a process and protocol established by the commissioner on behalf of the Board pursuant to M.G.L. c. 69, § 1B.

Student growth percentile or SGP shall mean a measure of how much a student's performance has improved from one year to the next relative to other students statewide with a similar MCAS test score history.

Subgroup shall mean one of the groups of students for which, ~~in accordance with ESEA,~~ the Department issues ~~AYP annual performance~~ determinations, ~~namely including~~ students with disabilities, students with limited English proficiency, economically disadvantaged students, and students belonging to major racial and ethnic groups.

Tiered instruction shall mean a data-driven prevention, early detection, and support system that guides the allocation of school and district resources with the aim of providing high quality core educational experiences for all students and targeted interventions to struggling students who experience learning or behavioral challenges.

Turnaround plan shall mean the plan pursuant to G.L. c. 69, s. 1J or 1K, to improve student achievement in a Level 4 or Level 5 school or a Level 5 district; ~~that the plan may also~~ serves as the School Improvement Plan or District Improvement Plan.

2.03: Accountability and Assistance for Districts and Schools in All Levels

(1) **Framework for district and school accountability and assistance** The Department shall implement a five-level system for district and school accountability and assistance, approved by the Board and known as the framework for district accountability and assistance, for the purpose of improving student achievement. Both the priority for assistance and the degree of intervention shall increase from Level 1 to Level 5, as the severity and duration of identified problems increase. Under the framework, districts shall hold their schools accountable for educating their students well and assist them in doing so; the Department shall hold districts accountable for both of these functions and assist them in fulfilling them.

(2) **District reviews** The Department may conduct a district review, encompassing the district and its schools, of any district in Levels 1-5.

(3) **District Analysis and Review Tools** The Department shall provide the District Analysis and Review Tools to every district, including multiple data elements, giving schools the capability of comparing themselves with similar schools or other schools of their choice, and giving districts the capability of comparing themselves with similar districts or other districts of their choice.

(4) **District standards and indicators**

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(a) District reviews, improvement planning, and other forms of accountability and assistance shall be based on standards of effective policy and practice in:

1. Leadership and governance;
2. Curriculum and instruction;
3. Assessment;
4. Human resources and professional development;
5. Student support; and
6. Financial and asset management.

(b) The Department shall publish a detailed version of the standards, as well as associated indicators which shall include the following conditions for school effectiveness:

1. Effective district systems for school support and intervention: The district has systems and processes for anticipating and addressing school staffing, instructional, and operational needs in timely, efficient, and effective ways, especially for its lowest performing schools.
2. Effective school leadership: The district and school take action to attract, develop, and retain an effective school leadership team that obtains staff commitment to improving student learning and implements a clearly defined mission and set of goals.
3. Aligned curriculum: The school's taught curricula are aligned to state curriculum frameworks and the MCAS performance level descriptions, and are also aligned vertically between grades and horizontally across classrooms at the same grade level and across sections of the same course.
4. Effective instruction: Instructional practices are based on evidence from a body of high quality research and on high expectations for all students and include use of appropriate research-based reading and mathematics programs; the school staff has a common understanding of high-quality evidence-based instruction and a system for monitoring instructional practice.
5. Student assessment: The school uses a balanced system of formative and benchmark assessments.
6. Principal's staffing authority: The principal has the authority to make staffing decisions based on the School Improvement Plan and student needs, subject to district personnel policies, budgetary restrictions and the approval of the superintendent.
7. Professional development and structures for collaboration: Professional development for school staff includes both individually pursued activities and school-based, job-embedded approaches, such as instructional coaching. It also includes content-oriented learning. The school has structures for regular, frequent collaboration to improve implementation of the curriculum and instructional practice. Professional development and

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structures for collaboration are evaluated for their effect on raising student achievement.

8. Tiered instruction and adequate learning time: The school schedule is designed to provide adequate learning time for all students in core subjects. For students not yet on track to proficiency in English language arts or mathematics, the school provides additional time and support for individualized instruction through tiered instruction, a data-driven approach to prevention, early detection, and support for students who experience learning or behavioral challenges, including but not limited to students with disabilities and English language learners.
9. Students' social, emotional, and health needs: The school creates a safe school environment and makes effective use of a system for addressing the social, emotional, and health needs of its students that reflects the behavioral health and public schools framework.
10. Family-school engagement: The school develops strong working relationships with families and appropriate community partners and providers in order to support students' academic progress and social and emotional well-being.
11. Strategic use of resources and adequate budget authority: The principal makes effective and strategic use of district and school resources and has sufficient budget authority to do so.

(5) **District improvement planning** Every district shall develop and implement an annual self-evaluation and district improvement planning process using the district standards and indicators established under 603 CMR 2.03(4).

- (a) The district's self-evaluation and planning process shall result, every three years, in a comprehensive written three-year District Improvement Plan to improve the performance of the district and its schools.
- (b) Each year, every school shall adopt school performance goals and develop and implement a written School Improvement Plan to advance those goals and improve student performance. The School Improvement Plan shall be aligned with the District Improvement Plan.
- (c) A district's District Improvement Plan and School Improvement Plans shall be based on an analysis of data, including but not limited to data on student performance and the District Analysis and Review Tool provided by the Department under 603 CMR 2.03(3), and an assessment of actions the district and its schools must take to improve that performance.
- (d) District Improvement Plans and School Improvement Plans shall, in form and content, conform to requirements set forth in M.G.L. c. 69, § 1I.

(6) **Assistance from the Department**

- (a) The Department shall make available a variety of such forms of assistance as examples, tools, templates, protocols, and surveys to assist districts and schools in assessing themselves and improving student performance.

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- (b) The Department shall also make available to districts, to the extent funding allows, professional development opportunities and assistance from Department staff members, Department contractors, or third party partners. Priority for receiving professional development or assistance, as well as the degree of intervention by the Department, shall increase from Level 1 to Level 5.

2.04: Accountability and Assistance for Districts and Schools in Levels 1-3

(1) Placement of schools and districts in Levels 1 and 2

- (a) A Sschools shall be placed in Levels 1 and 2 of the framework for district accountability and assistance based on the performance of students in the aggregate and subgroups, according to the Department's annual performance determination ~~according to their accountability status under ESEA; districts shall be placed in Levels 1 and 2 of the framework according to their schools' accountability status under ESEA.~~ The Department shall publish guidance for schools as to what accountability status leads performance leads to placement in what level, including a description of the methodology used.
- (b) A Sschools shall move from one level to another within Levels 1 and 2 by virtue of change in the performance of students in the aggregate and subgroups, according to the Department's annual performance determination, and in accordance with guidance published by the Department pursuant to 603 CMR 2.04(1)(a).
- (c) Districts shall be placed in Levels 1 and 2 in accordance with the levels of their schools, and shall move from one level to another within Levels 1 and 2 by virtue of change in ~~the accountability status of~~ their schools' levels pursuant to 603 CMR 2.04(1)(b). The Department shall publish guidance for districts as to what performance leads to placement in what level.

- (2) **Placement of schools and districts in Level 3** A school shall be placed in Level 3 of the framework for district accountability and assistance if any one of its subgroups scores among the lowest performing subgroups in the state. The Department may place a school in Level 3 if it scores in the lowest 20% statewide of schools serving common grade levels pursuant to 603 CMR 2.05(2)(a). The Department shall publish guidance describing the specific methodology used to identify Level 3 schools, as well as guidance for districts as to what performance leads to placement in what level. ~~A district shall be placed in Level 3 of the framework for district accountability and assistance if it has a school that has been placed in Level 3.~~

- (3) **Self-assessment by districts in Level 3** A district in Level 3 shall use a process approved by the Department to complete a self-assessment, shall use the self-assessment to identify unmet conditions for school effectiveness (see 603 CMR 2.03(4)(b)), and shall address the unmet conditions by revising its District Improvement Plan and School Improvement Plans.

2.05: Accountability and Assistance for Districts and Schools in Level 4

(1) Placement of districts in Level 4

- (a) A district shall be placed in Level 4 if any of its schools has been placed in Level 4, pursuant to 603 CMR 2.05 (2).

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~~(b) If a district scores in the lowest 10% statewide of districts of the same grade levels as calculated pursuant to 603 CMR 2.06(1)(a), the Board may place it a district in Level 4 upon recommendation of the commissioner based on findings from a district review, monitoring report, or follow-up review showing serious or widespread deficiencies, relating to one or more district standards, that are likely if they are not addressed effectively and in a timely manner to have a substantial negative effect on the educational achievement of students attending school student performance in the district, and place putting the district at risk of being placed in Level 5 if deficiencies are not addressed effectively and in a timely manner.~~

~~(c) A district may be placed in Level 4 pursuant to both 603 CMR 2.05(1)(a) and 603 CMR 2.05(1)(b).~~

~~(a)(d) A district declared underperforming by a vote of the Board prior to April 27, 2010, shall remain in Level 4 until the commissioner makes the determination described in 603 CMR 2.05(12)(b) and it has no schools in Level 4, unless the Board has voted to remove the district from underperforming status.~~

(2) Placement of schools in Level 4

(a) A school shall be eligible for placement in Level 4 if it scores in the lowest 20% statewide of schools serving common grade levels on a single measure developed by the Department that takes into account at least:

1. school MCAS performance over a four-year period based on Composite Performance Index (CPI) in English language arts; CPI in mathematics; and percentages of students scoring in the "warning" or "failing" category on MCAS; and
2. ~~beginning on July 1, 2011,~~ improvement in student academic performance.

~~The Department shall notify districts when it is determined that any of their schools is eligible for placement in Level 4. The notification shall be made to the school committee, superintendent, and local teachers' union or association president, and the principal of any school eligible for Level 4 placement.~~

(b) The commissioner may place a school in Level 4 on the basis of quantitative data including but not limited to:

1. school MCAS performance over a four-year period based on Composite Performance Index (CPI) in English language arts; CPI in mathematics; and percentages of students scoring in the "warning" or "failing" category on MCAS;
2. improvement in school MCAS performance as represented by change in CPI (for years available, up to four);
3. annual growth in MCAS performance for students at the school as compared with peers across the Commonwealth (for years available, up to four);
4. in the case of high schools, graduation and dropout rates; or

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5. other indicators of school performance including student attendance, dismissal, suspension, exclusion, and promotion rates upon the determination of each indicator's reliability and validity, or lack of demonstrated significant improvement for two or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based on special education, low-income, English language proficiency, and racial classifications; or on the basis of information from a school or district review performed under M.G.L. c.15, § 55A.

- (c) Not more than 4% of the total number of public schools may be in Levels 4 and 5, taken together, at any given time.

- (d) Any school designated by the Board as chronically underperforming prior to 2010 may be placed in Level 4.

- (3) **Notification** The Department shall notify districts of the placement of any of their schools in Level 4. The notification shall be made to the school committee, superintendent, and local teachers' union or association president, and the principal and the parent organization of any school placed in Level 4.

- (4) **Appointment of assistance ~~liaison~~ and accountability ~~monitor~~ personnel** Upon placement of a district in Level 4 ~~or the placement of any of its schools in Level 4~~ the Department may make any or all of the following appointments:

- (a) an assistance liaison:

1. to support the district in developing and carrying out a turnaround plan for each of its Level 4 schools, if any; and
2. ~~if the district has been placed in Level 4,~~ to support the district in district improvement planning pursuant to 603 CMR 2.05(8), if required; ~~and~~

- (b) an accountability monitor to determine and report on:

1. whether the goals, benchmarks, and timetable in the turnaround plan for each of the district's Level 4 schools, if any, are being met; and
2. ~~if the district has been placed in Level 4,~~ if the district has a Level 4 District Plan pursuant to 2.08(c), whether ~~the its~~ goals, benchmarks, and timetable ~~in the district's District Improvement Plan approved pursuant to 603 CMR 2.05(8)~~ are being met; and

- (c) an individual or team to conduct monitoring site visits to the district or its schools.

(5) **Turnaround plans for Level 4 schools**

- (a) The turnaround plan developed for each school placed in Level 4 shall:

1. be authorized, pursuant to M.G.L. c. 69, s. § 1J(j), for a period of up to three years;
2. fulfill the other requirements of M.G.L. c. 69, § 1J;

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3. provide for the implementation of the conditions for school effectiveness in 603 CMR 2.03(4)(b);
4. include benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1J, and the conditions for school effectiveness, and a timetable for achieving those benchmarks;
5. include descriptions of the assistance to be provided by the Department in support of the action steps in the plan, as agreed on by the Department and the superintendent, subject to the availability of resources for the Department to provide the assistance; and
6. be prepared on a format provided by the Department.

- (b) Once the superintendent has received the recommendations of the local stakeholder group under M.G.L. c. 69, § 1J(b), the superintendent may request that the school committee and any union bargain or reopen the bargaining of the relevant collective bargaining agreement, pursuant to M.G.L. c. 69, § 1J(g). If necessary, the 30 days provided by M.G.L. c. 69, § 1J(e) for the superintendent to submit a turnaround plan for modifications to the local stakeholder group, school committee, and commissioner shall be extended, without exceeding the time periods mandated by M.G.L. c. 69, § 1J(g), to provide time for bargaining, ratification, a dispute resolution process, the submission of a decision by the joint resolution committee, or a resolution by the commissioner, pursuant to M.G.L. c. 69, § 1J(g).
- (c) Within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), the commissioner shall review the plan and may, in consultation with the superintendent, modify the plan if the commissioner determines that
 1. such modifications would further promote the rapid academic achievement of students in the school;
 2. a component of the plan was included, or a modification under M.G.L. c. 69, § 1J(e) was excluded, on the basis of demonstrably false information or evidence; or
 3. the superintendent failed to meet the requirements of M.G.L. c. 69, § 1J(b) to (e), inclusive.
- (d) Within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), the school committee or local union may appeal to the commissioner one or more components of the plan pursuant to M.G.L. c. 69, § 1J(f). Within 30 days of the receipt of such appeal, the commissioner shall decide the appeal and may, in consultation with the superintendent, make one or more modifications to the plan based on the appeal if the commissioner makes any of the determinations in 603 CMR 2.05(5)(c)1 through 3. The commissioner's decision on the appeal shall be final.
- (e) Within 30 days of the receipt of the last appeal made under M.G.L. c. 69, § 1J(f) and 603 CMR 2.05(5)(d), or, if no such appeal is received within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e),

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at the expiration of those 30 days, the commissioner shall return the turnaround plan to the superintendent incorporating any modifications made under 603 CMR 2.05(5)(c) or (d), or both. Such return of the plan to the superintendent shall constitute the commissioner's approval, pursuant to M.G.L. c. 69, § 1J(b), of the plan returned.

~~(f) During school year 2009 through 2010, the commissioner may allow for an expedited turnaround plan pursuant to M.G.L. c. 69, § 1J(b), for Level 4 schools that have been previously designated as underperforming and where the district has a turnaround plan that has had a public comment period and approval of the local school committee.~~

(6) Annual reviews of Level 4 schools Superintendents shall use a format provided by the Department for the reviews to be submitted to the commissioner and school committee at least annually pursuant to M.G.L. c. 69, § 1J(k).

(7) Receiver for a school in Level 4

(a) If the superintendent appoints a receiver for a school in Level 4 pursuant to M.G.L. c. 69, s. 1J(h), the superintendent shall define the scope of the receiver's powers, up to and including all of the powers of the superintendent over the school, including all of the powers granted by M.G.L. c. 69, s. 1J. The superintendent may from time to time modify the scope of the receiver's powers based on conditions in the school. The receiver shall report directly to the superintendent.

(b) If the commissioner requires the superintendent to terminate the receiver for a school in Level 4 pursuant to M.G.L. c. 69, § 1J(k), the superintendent may, with the approval of the commissioner, select and appoint another receiver for the school in accordance with M.G.L. c. 69, § 1J(h) and 603 CMR 2.05(7)(a).

(8) District improvement planning for Level 4 districts

(a) Each Level 4 district shall include, in the turnaround plan developed pursuant to 603 CMR 2.05(5)(a) for any each of its Level 4 schools in Level 4 shall include, among its provisions pursuant to 603 CMR 2.05(5)(a)(3) for the implementation of the conditions for school effectiveness, provisions for the improvement of district systems for school support and intervention in accordance with the condition for school effectiveness in 603 CMR 2.03(4)(b)(1).

(b)(a) If a district has been placed in Level 4 pursuant to 603 CMR 2.05(1)(b), the Department shall use:
notify the Level 4 district that it is required to develop a Level 4 District Plan in order to correct the serious deficiencies identified in the district pursuant to 603 CMR 2.05(1)(b); if a district has been placed in Level 4 pursuant to 603 CMR 2.05(1)(a), the Department may notify it that it is required to develop a Level 4 District Plan in order to aid in turning around its Level 4 school or schools.

1.— data on student performance and the District Analysis and Review Tool provided by the Department under 603 CMR 2.03(3); and
2. qualitative information about the district, including information from the most recent district review

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~~to establish goals and benchmarks for each Level 4 district to achieve in order to correct the serious or widespread deficiencies identified in the district, and to establish a timetable for achieving them.~~

(c) ~~(b)~~ Each Level 4 district notified by the Department pursuant to 603 CMR 2.05(8)(b) shall ~~revise its~~develop a Level 4 District ~~Improvement~~ Plan ~~to include the goals and benchmarks established by the Department under 603 CMR 2.05 (8)(a) that includes -goals and benchmarks appropriate to the reasons it has been required to develop a Level 4 District Plan,~~ along with strategies, ~~and~~ action steps, ~~and a timetable tofor~~ achieving those goals and benchmarks ~~by the timetable established by the Department.~~ The Level 4 District Plan shall be prepared on a format provided by the Department.

~~(d) (e)~~ Each A Level 4 district shall submit ~~its revised any required -Level 4~~ District ~~Improvement~~ Plan and any successor Level 4 District ~~Improvement~~ Plan for approval by the Department. A district whose ~~revised District Improvement Plan~~ Level 4 District Plan is approved by the Department shall receive priority for Department assistance. From year to year, continued priority for Department assistance shall be dependent on the district's success in achieving the goals and benchmarks in the approved Level 4 District ~~Improvement~~ Plan or approved successor Level 4 District ~~Improvement~~ Plan in accordance with the approved timetable.

(9) Annual report to Board The commissioner shall report annually to the Board on the progress made by districts and schools in Level 4.

(10) Removal of school from Level 4

(a) The commissioner shall define for each Level 4 school the academic and other progress that it must make for it to be removed from Level 4. Such progress may include:

i. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by;

1. an increase in MCAS scores and an increase in average median student growth percentile;

2. a reduction in the proficiency gap;

3. (for a high school) a higher graduation rate; and

4. (for a high school) a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely; and

ii. progress in implementing the conditions for school effectiveness described in 603 CMR 2.03(4)(b).

(b) The commissioner, in defining the required progress for each school, shall customize it to the particular reasons the school was placed in Level 4, defining it as any or all of the progress in 2.05(10)(a)1 and 2, or any other progress the commissioner determines appropriate.

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(c) After consultation with the superintendent, the commissioner shall remove a school from Level 4 when, at any time, the commissioner determines, based on evidence that may include evidence from a report from the accountability monitor appointed pursuant to 603 CMR 2.05(4)(b), a review by the superintendent submitted pursuant to M.G.L. c. 69, § J(k), a review conducted by the commissioner pursuant to M.G.L. c. 69, § 1J(l), or a district review or a follow-up review, that:

- i. the school has achieved the academic and other progress defined by the commissioner under 603 CMR 2.05(10)(a) and (b) as necessary to allow it to be removed from Level 4; and
- ii. the district has the capacity to continue making progress in improving school performance without the accountability and assistance provided due to the school's placement in Level 4.

(d) At the expiration of the turnaround plan, in conducting a review of the school pursuant to M.G.L. c. 69, § 1J(l), the commissioner shall consider whether the conditions described in 603 CMR 2.05(10)(c)1 and 2 exist. If the commissioner determines that both of these conditions exist, he or she shall remove the school from Level 4.

(e) Notwithstanding the foregoing requirements of 603 CMR 2.04(10), the commissioner may remove from Level 4 any school for which he or she approves a proposal of closure.

(11) Effect of removal of school from Level 4; transitional period

- a. Upon the commissioner's removal of a school from Level 4 pursuant to 603 CMR 2.05(10)(c) or (d), the provisions of M.G.L. c. 69, § 1J, for schools designated as underperforming shall no longer apply to it and the employment of any receiver for the school shall end.
- b. The district and school may continue their relationship with any external partner appointed to advise or assist the superintendent in the implementation of the turnaround plan and may continue to use the turnaround plan in order to continue to improve school performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1J(d), in contravention of any general or special law to the contrary shall be discontinued unless:
 - i. no more than one year before the removal of the school from Level 4 the superintendent proposed to continue such feature of the turnaround plan for a transitional period after the school's removal from Level 4, supporting this proposal with a written explication of the reasons this continuation is necessary and providing the school committee, the teachers' union or association, and the parent organization for the school with a copy of the proposal and supporting documents; and
 - ii. before removing the school from Level 4 the commissioner determined, after considering any opposition from the school committee, the teachers' union or association, or the parent organization for the school, that such feature of the turnaround plan would contribute to the continued improvement of the school and should continue after the removal.

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The superintendent may propose to continue and the commissioner may allow to continue more than one such feature of the turnaround plan.

- c. Upon making a determination pursuant to 603 CMR 2.05(11)(b)2 that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the school must make for each continuing feature of the plan to be discontinued.
- d. On determination by the commissioner at any time, based on evidence that may include evidence from a school or district review or a follow-up review, that the school has made the progress defined under 603 CMR 2.05(11)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued
 - i. such feature shall be discontinued; and
 - ii. any powers granted to the commissioner or Board with respect to the school under M.G.L. c. 69, § 1J, that did not cease on removal of the school from Level 4 shall cease.
- e. Two years after the removal of the school from Level 4, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the school to determine whether such continuing feature or features should remain in place or be discontinued.

(12) Removal of district from Level 4

(a) A district placed in Level 4 because one or more of its schools has been placed in Level 4 shall be removed from Level 4 when the district no longer has a school in Level 4, unless the district has a Level 4 District Plan and the commissioner has not yet made the determination described in 603 CMR 2.05(12)(b).

~~(a) Upon placement of a district in Level 4 pursuant to 603 CMR 2.05(1), the commissioner shall define for the district the academic and other progress that it must make for it to be removed from Level 4. Such progress may include:~~

~~i. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by;~~

~~1. an increase in MCAS scores and an increase in average median student growth percentile;~~

~~2. a reduction in the proficiency gap;~~

~~3. a higher graduation rate; and~~

~~4. a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely;~~

~~ii. the implementation of district systems and practices that meet district standards established under 603 CMR 2.03(4); and~~

~~iii. progress in implementing in the district's schools the conditions for school effectiveness described in 603 CMR 2.03(4)(b).~~

~~(b) The commissioner, in defining the required progress for the district, shall customize it to the particular reasons the district was placed in Level 4, defining it~~

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as any or all of the progress in 2.05(12)(a)1 through 3, or any other progress the commissioner determines appropriate.

(b)(e) A district with a Level 4 District Plan shall be removed from Level 4 by the commissioner, unless it has a school or schools in Level 4. The commissioner shall remove the district from Level 4 when the commissioner determines, based on evidence that may include evidence from a report from the accountability monitor appointed pursuant to 603 CMR 2.05(4)(b) a monitoring report or from a follow-up review, that

- i. the district has satisfactorily achieved the goals and benchmarks of its Level 4 District Plan academic and other progress defined by the commissioner under 603 CMR 2.05(12)(a) and (b) as necessary to allow it to be removed from Level 4; and
- ii. the district has the capacity to continue making progress without the accountability and assistance provided by Level 4.

2.06 Accountability and Assistance for Districts and Schools in Level 5

(1) Placement of districts in Level 5

- (a) A district shall be eligible for placement in Level 5 if it is not a single-school district and it scores in the lowest 10% statewide of districts of the same grade levels on a single measure developed by the Department that takes into account at least:
 1. district MCAS performance over a four-year period based on Composite Performance Index (CPI) in English language arts; CPI in mathematics; and percentages of students scoring in the "warning" or "failing" category on MCAS; and
 2. beginning on July 1, 2011, improvement in student academic achievement.
- (b) The Board may place an eligible district in Level 5 of the framework for district accountability and assistance, if the commissioner so recommends, on the basis of one or more of the following:
 1. a district review report;
 2. a report from an accountability monitor appointed pursuant to 603 CMR 2.05(4)(b) a monitoring report;
 3. a follow-up review report;
 4. quantitative indicators such as student attendance, dismissal, suspension, exclusion, promotion, graduation, and dropout rates, upon the determination of each indicator's reliability and validity, or lack of demonstrated significant improvement for two or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based on special education, low-income,

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English language proficiency, and racial classifications, or annual growth in MCAS performance for students in the district as compared with peers across the Commonwealth; or

5. the failure of a Level 4 district to meet, in a timely manner, the benchmarks or goals in its current **Level 4 District Improvement Plan** as approved by the Department pursuant to 603 CMR 2.05(8)(d).

(c) Not more than 2.5% of the total number of school districts may be in Level 5 at any given time.

(d) Before the commissioner recommends that an eligible district be placed in Level 5, a district review team including at least one member with expertise in the academic achievement of students with limited English proficiency shall conduct a district review to assess and report on the reasons for the district's underperformance and the prospects for improvement, unless the commissioner determines that a new review is unnecessary because a district review conducted within the last year is adequate.

(e) Before placing a district in Level 5, the Board shall consider the findings of the most recent district review, as well as multiple quantitative indicators of district quality such as those listed in 603 CMR 2.06(1)(b)4.

(f) School district and municipal officials, including the school committee, as well as the local teachers' union or association president or designee, a representative of the local parent organization, and members of the public, shall have an opportunity to be heard by the Board before final action by the Board to place the district in Level 5.

(2) Placement of schools in Level 5

(a) The commissioner may place a Level 4 school in Level 5 at the expiration of its turnaround plan if the commissioner determines:

1. that the school has failed to improve as required by the goals, benchmarks, or timetable of the turnaround plan; or
2. that the school has failed to make significant improvement and that conditions in the district make it unlikely that the school will make significant improvement unless it is placed in Level 5.

(b) School, school district, and municipal officials, including the school committee, as well as the local teachers' union or association president or designee, a representative of the school's parent organization, and family members of students at the school, shall have an opportunity to meet with the commissioner or his or her designee before the commissioner places a school in Level 5.

(3) Appointment and powers of receiver for a district in Level 5

(a) Following the placement of a district in Level 5 under 603 CMR 2.06(1)(b), the commissioner, on behalf of the Board, shall appoint a receiver for the district pursuant to M.G.L. c. 69, § 1K(a).

(b) The receiver shall have the powers provided to the receiver by M.G.L. c. 69, § 1K, including all of the powers of the superintendent and school committee and

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full managerial and operational control over the district, provided that the district shall remain the employer of record for all other purposes, and provided further that the commissioner may define the scope of the receiver's powers up to those set forth in M.G.L. c. 69, § 1K, based on conditions in the district or its schools. The commissioner may from time to time modify the scope of the receiver's powers based on conditions in the district or its schools.

- (4) **Replacement of receiver for a district in Level 5** If the commissioner terminates the receiver for a district in Level 5 pursuant to M.G.L. c. 69, § 1K(h), the commissioner shall appoint another receiver for the district in accordance with M.G.L. c. 69, § 1K(a) and 603 CMR 2.06(3)(b).

(5) **Receiver for a school in Level 5**

(a) A receiver appointed by the commissioner for a school in Level 5 pursuant to M.G.L. c. 69, s. 1J(r), shall have all of the powers that the superintendent previously had over the school and all of the powers granted to a receiver for a Level 5 school by M.G.L. c. 69, s. 1J. The receiver shall report directly to the commissioner.

(b) If the commissioner terminates the receiver for a school in Level 5 pursuant to M.G.L. c. 69, § 1J(v), the commissioner may appoint another receiver for the school in accordance with M.G.L. c. 69, § 1J(r) and 603 CMR 2.06(5)(a).

- (6) **Turnaround plans for Level 5 schools** The turnaround plan developed for each school placed in Level 5 shall

(a) be authorized, pursuant to M.G.L. c. 69, § 1J(t), for a period of up to three years;

(b) fulfill the other requirements of M.G.L. c. 69, § 1J;

(c) provide for the implementation of the conditions for school effectiveness in 603 CMR 2.03(4)(b);

(d) include benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1J, and the conditions for school effectiveness, and a timetable for achieving those benchmarks;

(e) include descriptions of the assistance to be provided by the Department in support of the action steps in the plan, subject to the availability of resources for the Department to provide the assistance; and

(f) be prepared on a format developed by the Department.

- (7) **Turnaround plans for Level 5 districts** The turnaround plan developed for each district placed in Level 5 shall:

(a) focus, pursuant to M.G.L. c. 69, § 1K(b), on any Level 5 school or schools in the district and, using the most recent district review report as a guide, on any district policies or practices that have contributed to the placement of the school or schools or district in Level 5, [including but not limited to district systems for school support and intervention](#);

(b) be authorized, pursuant to M.G.L. c. 69, § 1K(f), for a period of up to three years;

(c) fulfill the other requirements of M.G.L. c. 69, § 1K;

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(d) if the district has any Level 4 or Level 5 schools, provide for the implementation in the district of the systems and processes necessary to bring about the conditions for school effectiveness in 603 CMR 2.03(4)(b); including, pursuant to M.G.L. c. 69, § 1K, new turnaround plans for any Level 4 or 5 school for which the turnaround plans are deemed inadequate by the receiver.

(e) include, for the district: benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1K, and a timetable for achieving those benchmarks;

(f) describe the assistance to be provided by the Department in support of the action steps in the plan, subject to the availability of the resources for the Department to provide the assistance; and

(g) be prepared on a format developed by the Department.

(8) Quarterly reports for Level 5 schools and districts

(a) Quarterly reports for Level 5 schools, including the review by the commissioner to be submitted at least annually to the superintendent and the school committee, shall be submitted pursuant to M.G.L. c. 69, § 1J(u) and (v) on a format developed by the Department.

(b) Quarterly reports for Level 5 districts, including the evaluation by the commissioner to be submitted at least annually to the Board and the school committee, shall be submitted pursuant to M.G.L. c. 69, § 1K(g) and (h) on a format developed by the Department.

(9) Reports to the Board The commissioner shall report regularly to the Board on the progress made by each district and school in Level 5.

(10) Removal of school from Level 5

(a) The commissioner shall define for each Level 5 school the academic and other progress that it must make for it to be removed from Level 5. Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by:

a. an increase in MCAS scores and an increase in average-median student growth percentile;

b. a reduction in the proficiency gap;

c. (for a high school) a higher graduation rate; and

d. (for a high school) a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely; and

2. progress in implementing the conditions for school effectiveness described in 603 CMR 2.03(4)(b).

(b) The commissioner, in defining the required progress for each school, shall customize it to the particular reasons the school was placed in Level 5, defining it

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as any or all of the progress in 603 CMR 2.06(10)(a)1 and 2, or any other progress the commissioner determines appropriate.

(c) The commissioner shall remove a school from Level 5 when, at any time, the commissioner determines, based on evidence that may include a report from the accountability monitor appointed pursuant to 603 CMR 2.05(4)(b), from the school's or district's receiver, if any, from a district review, or from a follow-up review, that:

1. the school has achieved the academic and other progress defined by the commissioner under 603 CMR 2.06(10)(a) and (b) as necessary to allow it to be removed from Level 5; and
2. the district has the capacity to continue making progress in improving school performance without the accountability and assistance provided due to the school's placement in Level 5.

(d) At the expiration of the turnaround plan, in conducting a review of the school pursuant to M.G.L. c. 69, § 1J(w), the commissioner shall consider whether the conditions described in 603 CMR 2.06(10)(c)1 and 2 exist. If the commissioner determines that both of these conditions exist, he or she shall remove the school from Level 5.

(11) Effect of removal of school from Level 5; transitional period

(a) Upon the commissioner's removal of a school from Level 5, the provisions of M.G.L. c. 69, § 1J, for schools designated as chronically underperforming shall no longer apply to it and the employment of any receiver for the school shall end.

(b) The district and school may continue to use the turnaround plan in order to continue to improve school performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1J(o), in contravention of any general or special law to the contrary shall be discontinued unless the commissioner determined before removing the school from Level 5 that such feature of the turnaround plan would contribute to the continued improvement of the school and should continue for a transitional period after the removal. The commissioner may allow more than one such feature of the turnaround plan to continue.

(c) Upon making a determination pursuant to 603 CMR 2.06(11)(b) that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the school must make for each continuing feature of the plan to be discontinued.

(d) On determination by the commissioner at any time, based on evidence that may include evidence from a school or district review or a follow-up review, that the school has made the progress defined under 603 CMR 2.06(11)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued

1. such feature shall be discontinued; and
2. any powers granted to the commissioner or Board with respect to the school under M.G.L. c. 69, § 1J, that did not cease on removal of the school from Level 5 shall cease.

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- (e) Two years after the removal of the school from Level 5, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the school to determine whether such continuing feature or features should remain in place or be discontinued.

(12) Termination of receivership and removal of district from Level 5

- (a) The commissioner shall define for each Level 5 district the academic and other progress that it must make for it to be removed from Level 5. Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by:
 - a. an increase in MCAS scores and an increase in average-median student growth percentile;
 - b. a reduction in the proficiency gap;
 - c. a higher graduation rate; and
 - d. a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely;
2. the implementation of district systems and practices that meet district standards established under 603 CMR 2.03(4); and
3. progress in implementing in the district's schools the conditions for school effectiveness described in 603 CMR 2.03(4)(b).

- (b) The commissioner, in defining the required progress for the district, shall customize it to the particular reasons the district was placed in Level 5, defining it as any or all of the progress in 603 CMR 2.06(12)(a)1 through 3, or any other progress the commissioner determines appropriate.

- (c) The commissioner shall terminate the receivership and remove the district from Level 5 when, at any time, the commissioner determines, based on evidence that may include a report from the district's receiver or a follow-up review, that

1. the district has achieved the academic and other progress defined by the commissioner under 603 CMR 2.06(12)(a) and (b) as necessary to allow it to be removed from Level 5; and
2. the district has the capacity to continue making progress without the accountability and assistance provided by Level 5.

- (d) At the expiration of the turnaround plan, in reevaluating the district's Level 5 status pursuant to M.G.L. c. 69, § 1K(i), the commissioner shall consider whether the conditions described in 603 CMR 2.06(12)(c)1 and 2 exist. If the commissioner determines that both of these conditions exist, he or she shall terminate the receivership and remove the district from Level 5.

(13) Effect of removal of district from Level 5; transitional period

- (a) Upon the commissioner's removal of a district from Level 5, the provisions of M.G.L. c. 69, § 1K, for districts designated as chronically underperforming shall no longer apply to it and the employment of the receiver shall end.

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- (b) The district may continue to use the turnaround plan in order to continue to improve students' academic performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1K(d), in contravention of any general or special law to the contrary shall be discontinued unless the commissioner determined, before removing the district from Level 5, that such feature of the turnaround plan would contribute to the continued improvement of the district and should continue for a transitional period after the removal. The commissioner may allow more than one such feature of the turnaround plan to continue.
- (c) Upon making a determination pursuant to 603 CMR 2.06(13)(b) that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the district must make for each continuing feature of the plan to be discontinued.
- (d) On determination by the commissioner at any time, based on evidence that may include evidence from a district review or a follow-up review, that the district has made the progress defined under 603 CMR 2.06(13)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued:
1. such feature shall be discontinued; and
 2. any powers granted to the commissioner or Board with respect to the district under M.G.L. c. 69, § 1K, that did not cease on removal of the district from Level 5 shall cease.
- (e) Two years after the removal of the district from Level 5, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the district to determine whether such continuing feature or features should remain in place or be discontinued.
- (14) Petition by school committee of a Level 5 district**
- (a) When the school committee of a Level 5 district petitions the commissioner, pursuant to M.G.L. c. 69, § 1K (i), for either modification of the turnaround plan or elimination of the turnaround plan and termination of the receivership, the commissioner shall decide the petition after considering the following:
1. written arguments and supporting documentation submitted with the petition by the school committee;
 2. written arguments and supporting documentation submitted in response to the petition by the receiver; and
 3. the report of any follow-up review conducted since the district was placed in Level 5.
- (b) If no follow-up review has been conducted within the last year before the commissioner's receipt of the petition and the commissioner determines that such a review would be useful in deciding on the petition, the commissioner may cause one to be conducted and delay the decision on the petition until 30 days after receiving the follow-up review report, provided that a decision on the petition shall be made within four months of the commissioner's receipt of the petition.

Attachment 2: Proposed Changes to 603 CMR 2.00 (Tracked)

603 CMR 2.00: Accountability and Assistance for School Districts and Schools

- (c) Within 30 days of receiving the commissioner's decision, the school committee may appeal an adverse decision to the Board. The Board shall consider the evidence described in 603 CMR 2.06(14)(a)1 through 3 and may consider other evidence from the school committee, receiver, and commissioner. The decision of the Board shall be made within 60 days of receiving the appeal and shall be final.
- (d) Neither the process before the commissioner nor the process before the Board shall be an adjudicatory hearing.
- (e) No petition for the elimination of the turnaround plan and termination of the receivership shall be granted unless the commissioner or, in the case of an appeal, the Board determines
1. that the district has achieved the progress defined by the commissioner under 603 CMR 2.06(12)(a) as necessary to allow the district to be removed from Level 5 or that the district has achieved other, comparable or superior progress; and
 2. that the district has the capacity to continue making progress without the accountability and assistance provided by Level 5.
- (f) Upon a decision by the commissioner or the Board granting a petition for the elimination of the turnaround plan and termination of the receivership, the receivership shall be terminated and the district removed from Level 5.

2.07 Mathematics Content Assessments at Level 4 and Level 5 Schools

- (1) **Requirement of taking a mathematics content assessment** The superintendent or the school's receiver, if any, may require all mathematics teachers at a Level 4 school to take a mathematics content assessment approved by the Department. The commissioner or the school's receiver, if any, may require all mathematics teachers at a Level 5 school to take a mathematics content assessment approved by the Department. A mathematics teacher shall be required to take a mathematics content assessment pursuant to 603 CMR 2.07(1) no more than once a year.
- (2) **Use of results** Individual results on a mathematics content assessment taken pursuant to 603 CMR 2.07(1) shall be used by the mathematics teacher and the school principal in developing or revising professional development plans, as provided in the Recertification Regulations, 603 CMR 44.04(4), and shall be considered by school and district administrators in turnaround planning in the school. These individual results are to be used for diagnostic and turnaround planning purposes only, and individual mathematics teachers' results shall not be considered public records.
- (3) **Exceptions**
- (a) A mathematics teacher who would otherwise be required to take a mathematics content assessment pursuant to 603 CMR 2.07(1) shall not be required to take it if the teacher:
1. has passed the Elementary Mathematics, Middle School Mathematics, or Mathematics test of the Massachusetts Tests for Educator Licensure or has passed or been deemed under 603 CMR 7.14(14)(g) to have passed the Mathematics subtest of the General Curriculum test of the Massachusetts Tests for Educator Licensure; and

Attachment 2: Proposed Changes to 603 CMR 2.00 (Tracked)

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- 967 2. is appropriately licensed for the mathematics the teacher is teaching.
- 968 (b) The superintendent or commissioner or the schools receiver, if any, may waive
- 969 the mathematics content assessment requirement for an individual mathematics
- 970 teacher based on a finding that the teacher has demonstrated mastery of
- 971 mathematics or that special circumstances exist that make the assessment
- 972 requirement inappropriate or immaterial.

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974 Regulatory Authority:

975 M.G.L. c. 69, § 1B; c. 69, §§ 1J and 1K, as amended by St. 2010, c. 12, § 3; c. 71, § 38G.

DESE:
Summary of changes to
603 CMR 2.00 - 2012

Attachment 1: Summary of Proposed Changes to 603 CMR 2.00

Summary of Proposed Changes to 603 CMR 2.00:

Accountability & Assistance for School Districts and Schools

Note: *Changes recommended by ESE based on input during the public comment period have not necessitated any changes to this summary, first provided to the Board in April, except for the elimination of the term “turnaround plan” to describe the improvement plans of Gill-Montague, et al. (to avoid confusion).*

Why amend these regulations?

- Levels 1-3: Alignment with approved ESEA flexibility waiver
- Levels 4-5: Alignment with current practice

What changes have we proposed?

A. Levels 1 & 2 (see 2.04(1))

- References to NCLB accountability status & AYP now removed
- Placement in and movement between Levels 1 & 2 now based on performance of students in aggregate and subgroups
- Regulations now indicate ESE will publish guidance regarding specific rules for placement in and movement between Levels 1 and 2

B. Level 3 (see 2.04(2))

- Regulations now allow Level 3 identification based on low performance of individual subgroups, as well as low performance in the aggregate.
- Regulations now indicate ESE will publish guidance regarding specific rules for placement in Level 3.

C. Level 4: Placement

- All districts with one or more Level 4 schools now automatically placed in Level 4. See 2.05(1)(a).
- Under 2.05(1)(b), the Board may place a district in Level 4 if it has serious deficiencies relating to one or more district standards that are likely if they are not addressed effectively and in a timely manner to have a substantial negative effect on student performance in the district, putting the district at risk of being placed in Level 5.
 - No longer need to be in the bottom 10% of districts to be placed in Level 4, but still need to be at risk of falling into the bottom 10% and being placed in Level 5.
 - Serious deficiencies may now be shown by a monitoring report or follow-up review in addition to a district review

D. Level 4: Improvement Planning

Attachment 1: Summary of Proposed Changes to 603 CMR 2.00

- For districts placed in Level 4 for serious deficiencies under 2.05(1)(b), regulations now require “Level 4 District Plans” for approval by the Department, rather than requiring revisions to the DIP. See especially 2.05(8)(b),(c), and (d).
- Regulations now give the Department discretion to require a Level 4 District Plan for any district with a Level 4 school (whether or not it has been found to have serious deficiencies, etc.) “in order to aid in turning around its Level 4 school or schools.” 2.05(8)(b); see also 2.05(8)(c) and (d).
- If the Department has not required it to develop a Level 4 District Plan, though, a district that is in Level 4 only because of having a Level 4 school fulfills the requirement for district improvement planning by making sure that the turnaround plans for its L4 schools include provisions for improvement of district systems for school support and intervention (in accordance with the first CSE in 2.03(4)(b)(1)). See 2.05(8)(a).

E. Level 4: Removal

- A district placed in Level 4 because it has one or more schools in Level 4 is automatically removed from Level 4 when it no longer has any Level 4 schools, unless it has a Level 4 district plan for which the commissioner has not yet made the determination described in the next bullet. See 2.05(12)(a).
- A Level 4 district with a Level 4 District Plan is removed from Level 4 by the commissioner when he has determined that it has satisfactorily achieved the goals and benchmarks in its Level 4 District Plan, and that it has the capacity to continue making progress on its own. The **exception** to this is that if it still has any Level 4 schools, the district remains in Level 4. See 2.05(12)(b).

F. Level 4: Gill-Montague, et al.

Gill-Montague, Holyoke, Randolph, and Southbridge are now covered by the regulations, and will remain in Level 4 until they have no schools in Level 4 and the commissioner determines that they have satisfactorily achieved the goals and benchmarks in their current plans for improvement (which serve as their Level 4 District Plans¹) and have the capacity to continue making progress on their own. The commissioner rather than the Board will make this determination. See 2.05(1)(d) and 2.05(12)(b).

G. Level 5: Turnaround plans for Level 5 districts

- Regulations now require the focus of Level 5 district turnaround plans to include district systems for school support and intervention. See 2.06(7.)
- Regulations now require a new turnaround plan for any Level 4 or 5 school in the district whose turnaround plan the district’s receiver deems inadequate. See 2.06(7).

¹ See definition of Level 4 District Plan in 2.02.

DESE:
Proposed changes to
603 CMR 2.00 (final draft) –
2012

Attachment 2: Proposed Changes to 603 CMR 2.00

603 CMR 2.00: Accountability and Assistance for School Districts and Schools

PROPOSED AMENDMENTS TO REGULATIONS FOR ACCOUNTABILITY AND ASSISTANCE FOR SCHOOL DISTRICTS AND SCHOOLS, 603 CMR 2.00

- Presented to the Board of Elementary and Secondary Education for initial review and vote to solicit public comment: **April 24, 2012**
- Period of public comment: through **June 6, 2012**
- Final action by the Board of Elementary and Secondary Education anticipated: **June 26, 2012**

Background:

These regulations, formerly entitled “Regulations on Underperforming Schools and School Districts,” were adopted by the Board of Education on June 16, 1997. They were most recently amended by the Board on April 27, 2010, following the amendment of M.G.L. c. 69, §§ 1J and 1K, by Chapter 12 of the Acts of 2010, *An Act Relative to the Achievement Gap*, which was signed into law on January 18, 2010, and took effect immediately.

The proposed amendments would revise 603 CMR 2.00 to:

1. Align the regulations with ESE’s approved flexibility waiver from USDOE related to the Elementary and Secondary Education Act, 20 U.S.C. 6301 et seq. (ESEA);
2. Align the regulations with evolving practice with respect to Level 4 and 5 districts; and
3. Clarify in the regulations the status of districts declared underperforming pursuant to these regulations as they existed before the revisions of April 27, 2010.

Proposed amendments are indicated by underline (new language) and strikethrough (deletion). The complete text of the regulations has been included. It is also available at <http://www.doe.mass.edu/lawsregs/603cmr2.html>.

2.01: Authority, Scope and Purpose

- (1) 603 CMR 2.00 is promulgated pursuant to the authority of the Board of Elementary and Secondary Education under M.G.L. c. 69, §§ 1B, 1J, and 1K, and c. 71, § 38G.
- (2) 603 CMR 2.00 governs the review of the educational programs and services provided by the Commonwealth’s public schools and the assistance to be provided by districts and the Department to improve them; it identifies the circumstances under which a school may be declared underperforming (placed in Level 4) and those under which a school or school district may be declared chronically underperforming (placed in Level 5), resulting in accountability and assistance in accordance with M.G.L. c. 15, §55A and c. 69, §§ 1J and 1K.
- (3) The purpose of 603 CMR 2.00 is to hold districts and schools accountable for educating their students well and to assist them in improving the education they provide.

2.02: Definitions

Annual Performance Determination shall mean annual district, grade level, school, or student subgroup achievement and improvement, as determined by the Department relative to indicators

Deleted: Accountability Status shall mean the category to which a school or district is assigned, based on its Adequate Yearly Progress (AYP) determinations over multiple years in accordance with the federal Elementary and Secondary Education Act (ESEA). The category defines the required course of school, district and/or state action that must be taken to improve student performance. Accountability status categories include Identified for Improvement, Corrective Action, and Restructuring. Schools that make AYP in a subject for all student groups for two or more consecutive years are assigned to the No Status category. Districts that make AYP for all student groups in one or more gradespans in a subject for two or more consecutive years are also assigned to the No Status category. A district or school may be placed in an accountability status on the basis of the performance and improvement profile of students in the aggregate or of one or more student subgroups over two or more years in English language arts and/or mathematics.*¶

Adequate Yearly Process or AYP shall mean adequate annual district, grade level, school, or student subgroup performance and improvement, as determined by the Department relative to performance and improvement targets in English language arts and mathematics established by the Board in accordance with the federal Elementary and Secondary Education Act (ESEA).*¶

Attachment 2: Proposed Changes to 603 CMR 2.00

603 CMR 2.00: Accountability and Assistance for School Districts and Schools

including but not limited to achievement and improvement in English language arts and mathematics, in accordance with the federal Elementary and Secondary Education Act (ESEA).

Behavioral health and public schools framework shall mean the framework developed by the Task Force on Behavioral Health and Public Schools pursuant to St. 2008, c. 321, § 19, to “promote collaboration between schools and behavioral health services and promote supportive school environments where children with behavioral health needs can form relationships with adults and peers, regulate their emotions and behaviors, and achieve academic and nonacademic school success and reduce truancy and the numbers of children dropping out of school.”

Benchmark assessment shall mean an assessment that is given at regular and specified intervals throughout the school year, is designed to evaluate students' knowledge and skills relative to a specific set of academic standards, and produces results that can be aggregated (e.g., by course, grade level, school, or district) in order to inform teachers and administrators at the student, classroom, school, and district levels.

Board shall mean the Board of Elementary and Secondary Education, appointed in accordance with M.G.L. c. 15, § 1E.

Charter School A public school operated under a charter granted by the Board pursuant to M.G.L. c. 71, § 89 and 603 CMR 1.00.

Commissioner shall mean the commissioner of elementary and secondary education, appointed in accordance with M.G.L. c. 15, § 1F, or his or her designee.

Composite Performance Index or CPI shall mean a 100-point index that assigns 100, 75, 50, 25, or 0 points to each student participating in MCAS and MCAS-Alt tests based on their performance. The total points assigned to each student are added together and the sum is divided by the total number of students assessed. The result is a number between 0 and 100, which constitutes a district, school or group's CPI for that subject and student group. The CPI is a measure of the extent to which students are progressing toward proficiency (a CPI of 100) in English Language Arts (ELA), mathematics, and science. CPIs are generated separately for ELA, mathematics, and science, and at all levels-state, district, school, and student group.

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Conditions for school effectiveness shall mean certain necessary conditions for schools to educate their students well. These conditions are integrated into the district indicators.

Core subjects shall mean the subjects specified in M.G.L. c. 69, § 1D (mathematics, science and technology, history and social science, English, foreign languages and the arts) and subjects covered in courses that are part of an approved vocational-technical education program under M.G.L. c. 74.

Department shall mean the Department of Elementary and Secondary Education acting through the commissioner or his or her designee.

District or school district shall mean a municipal school department or regional school district, acting through its school committee or superintendent of schools, or a county agricultural school, acting through its board of trustees or superintendent/director. For the purposes of 603 CMR 2.00 it shall not mean a charter school; charter schools are subject to accountability provisions set forth in M.G.L. c. 71, § 89, 603 CMR 1.00, and federal law.

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District Analysis and Review Tool or DART shall mean an electronic interface, using graphics and showing trends, of a sampling of relevant data kept by the Department or submitted to the Department by districts over time in areas including but not limited to district and school

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demographics, access, performance, educator licensure and turnover, student support, and educational resources.

District Improvement Plan shall mean the comprehensive, three-year improvement plan each district is required to develop under M.G.L. c. 69, § 11.

District indicators shall mean the detailed performance indicators associated with the district standards and developed by the Department.

District review shall mean a school district audit conducted by the Department under M.G.L. c. 15, § 55A, in accordance with a process and protocol established by the commissioner on behalf of the Board pursuant to M.G.L. c. 69, § 1B, and based on published district standards and indicators.

District review report shall mean the report of a district review by a district review team, as required by M. G.L. c. 15, § 55A.

District review team shall mean a group of individuals appointed by the Department, pursuant to M.G.L. c. 15, § 55A, to conduct a district review.

District standards shall mean the standards listed in 603 CMR 2.03(4)(a) that are the basis for district reviews, improvement planning, and other forms of accountability and assistance.

ESEA shall mean the Elementary and Secondary Education Act, 20 U.S.C. 6301 et seq., reauthorized in 2001 as the No Child Left Behind Act.

Follow-up review shall mean a review conducted following a district review to gather further information, to be used for such purposes as determining whether a Level 4 district should be placed in Level 5 or whether a school or district should be removed from Level 4 or Level 5.

Follow-up review report shall mean the report of a follow-up review.

Formative assessment shall mean assessment questions, tools, and processes that are embedded in instruction and are used by teachers and students to provide timely feedback for purposes of adjusting instruction to improve learning.

Framework for district accountability and assistance shall mean the five-level system for district and school accountability and assistance approved by the Board and implemented by the Department pursuant to 603 CMR 2.03(1).

Level 4 District Plan shall mean a plan for improvement that a district placed in Level 4 is required to develop and implement pursuant to 603 CMR 2.05(8)(b), (c), and (d). In the case of a district in Level 4 that was declared underperforming by the Board before April 27, 2010, Level 4 District Plan shall mean the current version of the turnaround plan the district adopted as a result of having been so declared. A Level 4 District Plan may serve as the district's District Improvement Plan.

Levels 1-5 shall mean the levels in the Department's framework for district accountability and assistance, required by 603 CMR 2.03(1), in which schools and districts in the Commonwealth are placed. See definitions in 603 CMR 2.02 for placing a district in Level 5, placing a school in Level 4, and placing a school in Level 5.

Mathematics content assessment: A diagnostic assessment of mathematics content knowledge approved by the Department that mathematics teachers at a Level 4 or Level 5 school may be

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163 required to take, at no cost to the district or the teacher for the assessment instrument or its
164 scoring.

165 **Mathematics teacher:** Shall mean any educator who teaches mathematics in a Massachusetts
166 public school.

167 **MCAS** shall mean the Massachusetts Comprehensive Assessment System, provided for in
168 M.G.L. c. 69, § 1I.

169 **Placing a district in Level 5** shall mean declaring that district to be chronically underperforming
170 in accordance with M.G.L. c. 69, § 1K. Level 5 is the last of the five levels in the Department's
171 framework for district accountability and assistance.

172 **Placing a school in Level 4** shall mean designating that school as underperforming in
173 accordance with M.G.L. c. 69, § 1J. Level 4 is the fourth of the five levels in the Department's
174 framework for district accountability and assistance.

175 **Placing a school in Level 5** shall mean designating that school as chronically underperforming
176 in accordance with M.G.L. c. 69, § 1J. Level 5 is the last of the five levels in the Department's
177 framework for district accountability and assistance.

178 **Receiver** shall:

179 (a) for a district, mean a non-profit entity or an individual with a demonstrated record of
180 success in improving low-performing schools or districts or the academic performance of
181 disadvantaged students, appointed by the commissioner on behalf of the Board for a
182 district placed in Level 5, pursuant to M.G.L. c. 69, § 1K(a), and 603 CMR 2.06(3); and

183 (b) for a school, mean a non-profit entity or an individual with a demonstrated record of
184 success in improving low-performing schools or the academic performance of
185 disadvantaged students, appointed for a school in Level 4 by the superintendent pursuant
186 to M.G.L. c. 69, § 1J(h) and 603 CMR 2.05(7) and for a school in Level 5 by the
187 commissioner pursuant to M.G.L. c. 69, § 1J(r), (v), or (w) and 603 CMR 2.06(5).

188 **School** shall mean a single public school, consisting of one or more school buildings, which
189 operates under the direct administration of a principal, director, or school leader appointed by the
190 school district responsible for its governance. For the purposes of 603 CMR 2.00 it shall not
191 mean a charter school; charter schools are subject to accountability provisions set forth in
192 M.G.L. c. 71, § 89, 603 CMR 1.00, and federal law.

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193 **School Improvement Plan** shall mean the plan for improved student performance each school is
194 required to develop annually under M.G.L. c. 69, § 1I.

195 **School review** shall mean a school audit conducted by the Department under M.G.L. c. 15, §
196 55A, in accordance with a process and protocol established by the commissioner on behalf of the
197 Board pursuant to M.G.L. c. 69, § 1B.

198 **Student growth percentile or SGP** shall mean a measure of how much a student's performance
199 has improved from one year to the next relative to other students statewide with a similar MCAS
200 test score history.

201 **Subgroup** shall mean one of the groups of students for which the Department issues annual
202 performance determinations, including students with disabilities, students with limited English
203 proficiency, economically disadvantaged students, and students belonging to major racial and
204 ethnic groups.

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Tiered instruction shall mean a data-driven prevention, early detection, and support system that guides the allocation of school and district resources with the aim of providing high quality core educational experiences for all students and targeted interventions to struggling students who experience learning or behavioral challenges.

Turnaround plan shall mean the plan to improve student achievement in a Level 4 or Level 5 school or a Level 5 district that may serve as the School Improvement Plan or District Improvement Plan.

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2.03: Accountability and Assistance for Districts and Schools in All Levels

(1) **Framework for district and school accountability and assistance** The Department shall implement a five-level system for district and school accountability and assistance, approved by the Board and known as the framework for district accountability and assistance, for the purpose of improving student achievement. Both the priority for assistance and the degree of intervention shall increase from Level 1 to Level 5, as the severity and duration of identified problems increase. Under the framework, districts shall hold their schools accountable for educating their students well and assist them in doing so; the Department shall hold districts accountable for both of these functions and assist them in fulfilling them.

(2) **District reviews** The Department may conduct a district review, encompassing the district and its schools, of any district in Levels 1-5.

(3) **District Analysis and Review Tool** The Department shall provide the District Analysis and Review Tool to every district, including multiple data elements, giving schools the capability of comparing themselves with similar schools or other schools of their choice, and giving districts the capability of comparing themselves with similar districts or other districts of their choice.

(4) District standards and indicators

(a) District reviews, improvement planning, and other forms of accountability and assistance shall be based on standards of effective policy and practice in:

1. Leadership and governance;
2. Curriculum and instruction;
3. Assessment;
4. Human resources and professional development;
5. Student support; and
6. Financial and asset management.

(b) The Department shall publish a detailed version of the standards, as well as associated indicators which shall include the following conditions for school effectiveness:

1. Effective district systems for school support and intervention: The district has systems and processes for anticipating and addressing school staffing, instructional, and operational needs in timely, efficient, and effective ways, especially for its lowest performing schools.

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2. Effective school leadership: The district and school take action to attract, develop, and retain an effective school leadership team that obtains staff commitment to improving student learning and implements a clearly defined mission and set of goals.
3. Aligned curriculum: The school's taught curricula are aligned to state curriculum frameworks and the MCAS performance level descriptions, and are also aligned vertically between grades and horizontally across classrooms at the same grade level and across sections of the same course.
4. Effective instruction: Instructional practices are based on evidence from a body of high quality research and on high expectations for all students and include use of appropriate research-based reading and mathematics programs; the school staff has a common understanding of high-quality evidence-based instruction and a system for monitoring instructional practice.
5. Student assessment: The school uses a balanced system of formative and benchmark assessments.
6. Principal's staffing authority: The principal has the authority to make staffing decisions based on the School Improvement Plan and student needs, subject to district personnel policies, budgetary restrictions and the approval of the superintendent.
7. Professional development and structures for collaboration: Professional development for school staff includes both individually pursued activities and school-based, job-embedded approaches, such as instructional coaching. It also includes content-oriented learning. The school has structures for regular, frequent collaboration to improve implementation of the curriculum and instructional practice. Professional development and structures for collaboration are evaluated for their effect on raising student achievement.
8. Tiered instruction and adequate learning time: The school schedule is designed to provide adequate learning time for all students in core subjects. For students not yet on track to proficiency in English language arts or mathematics, the school provides additional time and support for individualized instruction through tiered instruction, a data-driven approach to prevention, early detection, and support for students who experience learning or behavioral challenges, including but not limited to students with disabilities and English language learners.
9. Students' social, emotional, and health needs: The school creates a safe school environment and makes effective use of a system for addressing the social, emotional, and health needs of its students that reflects the behavioral health and public schools framework.
10. Family-school engagement: The school develops strong working relationships with families and appropriate community partners and providers in order to support students' academic progress and social and emotional well-being.

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11. Strategic use of resources and adequate budget authority: The principal makes effective and strategic use of district and school resources and has sufficient budget authority to do so.

(5) **District improvement planning** Every district shall develop and implement an annual self-evaluation and district improvement planning process using the district standards and indicators established under 603 CMR 2.03(4).

(a) The district's self-evaluation and planning process shall result, every three years, in a comprehensive written three-year District Improvement Plan to improve the performance of the district and its schools.

(b) Each year, every school shall adopt school performance goals and develop and implement a written School Improvement Plan to advance those goals and improve student performance. The School Improvement Plan shall be aligned with the District Improvement Plan.

(c) A district's District Improvement Plan and School Improvement Plans shall be based on an analysis of data, including but not limited to data on student performance and the District Analysis and Review Tool provided by the Department under 603 CMR 2.03(3), and an assessment of actions the district and its schools must take to improve that performance.

(d) District Improvement Plans and School Improvement Plans shall, in form and content, conform to requirements set forth in M.G.L. c. 69, § 1I.

(6) **Assistance from the Department**

(a) The Department shall make available a variety of such forms of assistance as examples, tools, templates, protocols, and surveys to assist districts and schools in assessing themselves and improving student performance.

(b) The Department shall also make available to districts, to the extent funding allows, professional development opportunities and assistance from Department staff members, Department contractors, or third party partners. Priority for receiving professional development or assistance, as well as the degree of intervention by the Department, shall increase from Level 1 to Level 5.

2.04: Accountability and Assistance for Districts and Schools in Levels 1-3

(1) **Placement of schools and districts in Levels 1 and 2**

(a) A school shall be placed in Level 1 or 2 of the framework for district accountability and assistance based on the performance of students in the aggregate and subgroups, according to the Department's annual performance determination. The Department shall publish guidance for schools as to what performance leads to placement in what level.

(b) A school shall move from one level to another within Levels 1 and 2 by virtue of change in the performance of students in the aggregate and subgroups, according to the Department's annual performance determination, and in accordance with guidance published by the Department pursuant to 603 CMR 2.04(1)(a).

(c) Districts shall be placed in Levels 1 and 2 in accordance with the levels of their schools, and shall move from one level to another within Levels 1 and 2 by virtue

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of change in their schools' levels pursuant to 603 CMR 2.04(1)(b). The Department shall publish guidance for districts as to what performance leads to placement in what level.

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- (2) **Placement of schools and districts in Level 3** A school shall be placed in Level 3 of the framework for district accountability and assistance if any one of its subgroups scores among the lowest performing subgroups in the state. The Department may place a school in Level 3 if it scores in the lowest 20% statewide of schools serving common grade levels pursuant to 603 CMR 2.05(2)(a). The Department shall publish guidance describing the specific methodology used to identify Level 3 schools, as well as guidance for districts as to what performance leads to placement in what level.

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- (3) **Self-assessment by districts in Level 3** A district in Level 3 shall use a process approved by the Department to complete a self-assessment, shall use the self-assessment to identify unmet conditions for school effectiveness (see 603 CMR 2.03(4)(b)), and shall address the unmet conditions by revising its District Improvement Plan and School Improvement Plans.

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2.05: Accountability and Assistance for Districts and Schools in Level 4

(1) Placement of districts in Level 4

(a) A district shall be placed in Level 4 if any of its schools has been placed in Level 4, pursuant to 603 CMR 2.05 (2).

(b) The Board may place a district in Level 4 upon recommendation of the commissioner based on findings from a district review, monitoring report, or follow-up review showing serious deficiencies, relating to one or more district standards, that are likely if they are not addressed effectively and in a timely manner to have a substantial negative effect on student performance in the district, putting the district at risk of being placed in Level 5.

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(c) A district may be placed in Level 4 pursuant to both 603 CMR 2.05(1)(a) and 603 CMR 2.05(1)(b).

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(d) A district declared underperforming by a vote of the Board prior to April 27, 2010, shall remain in Level 4 until the commissioner makes the determination described in 603 CMR 2.05(12)(b) and it has no schools in Level 4, unless the Board has voted to remove the district from underperforming status.

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(2) Placement of schools in Level 4

(a) A school shall be eligible for placement in Level 4 if it scores in the lowest 20% statewide of schools serving common grade levels on a single measure developed by the Department that takes into account at least:

1. school MCAS performance over a four-year period based on Composite Performance Index (CPI) in English language arts; CPI in mathematics; and percentages of students scoring in the "warning" or "failing" category on MCAS; and
2. improvement in student academic performance.

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(b) The commissioner may place a school in Level 4 on the basis of quantitative data including but not limited to:

Deleted: The Department shall notify districts when it is determined that any of their schools is eligible for placement in Level 4. The notification shall be made to the school committee, superintendent, and local teachers' union or association president, and the principal of any school eligible for Level 4 placement.

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1. school MCAS performance over a four-year period based on Composite Performance Index (CPI) in English language arts; CPI in mathematics; and percentages of students scoring in the "warning" or "failing" category on MCAS;
2. improvement in school MCAS performance as represented by change in CPI (for years available, up to four);
3. annual growth in MCAS performance for students at the school as compared with peers across the Commonwealth (for years available, up to four);
4. in the case of high schools, graduation and dropout rates; or
5. other indicators of school performance including student attendance, dismissal, suspension, exclusion, and promotion rates upon the determination of each indicator's reliability and validity, or lack of demonstrated significant improvement for two or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based on special education, low-income, English language proficiency, and racial classifications; or on the basis of information from a school or district review performed under M.G.L. c.15, § 55A.

(c) Not more than 4% of the total number of public schools may be in Levels 4 and 5, taken together, at any given time.

(d) Any school designated by the Board as chronically underperforming prior to 2010 may be placed in Level 4.

(3) **Notification** The Department shall notify districts of the placement of any of their schools in Level 4. The notification shall be made to the school committee, superintendent, and local teachers' union or association president, and the principal and the parent organization of any school placed in Level 4.

(4) **Appointment of assistance and accountability personnel** Upon placement of a district in Level 4, the Department may make any or all of the following appointments:

(a) an assistance liaison:

1. to support the district in developing and carrying out a turnaround plan for each of its Level 4 schools, if any; and
2. to support the district in district improvement planning pursuant to 603 CMR 2.05(8), if required;

(b) an accountability monitor to determine and report on:

1. whether the goals, benchmarks, and timetable in the turnaround plan for each of the district's Level 4 schools, if any, are being met; and
2. if the district has a Level 4 District Plan pursuant to 2.08(c), whether its goals, benchmarks, and timetable are being met; and

(c) an individual or team to conduct monitoring site visits to the district or its schools.

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(5) Turnaround plans for Level 4 schools

(a) The turnaround plan developed for each school placed in Level 4 shall:

1. be authorized, pursuant to M.G.L. c. 69, s. § 1J(j), for a period of up to three years;
2. fulfill the other requirements of M.G.L. c. 69, § 1J;
3. provide for the implementation of the conditions for school effectiveness in 603 CMR 2.03(4)(b);
4. include benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1J, and the conditions for school effectiveness, and a timetable for achieving those benchmarks;
5. include descriptions of the assistance to be provided by the Department in support of the action steps in the plan, as agreed on by the Department and the superintendent, subject to the availability of resources for the Department to provide the assistance; and
6. be prepared on a format provided by the Department.

(b) Once the superintendent has received the recommendations of the local stakeholder group under M.G.L. c. 69, § 1J(b), the superintendent may request that the school committee and any union bargain or reopen the bargaining of the relevant collective bargaining agreement, pursuant to M.G.L. c. 69, § 1J(g). If necessary, the 30 days provided by M.G.L. c. 69, § 1J(e) for the superintendent to submit a turnaround plan for modifications to the local stakeholder group, school committee, and commissioner shall be extended, without exceeding the time periods mandated by M.G.L. c. 69, § 1J(g), to provide time for bargaining, ratification, a dispute resolution process, the submission of a decision by the joint resolution committee, or a resolution by the commissioner, pursuant to M.G.L. c. 69, § 1J(g).

(c) Within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), the commissioner shall review the plan and may, in consultation with the superintendent, modify the plan if the commissioner determines that

1. such modifications would further promote the rapid academic achievement of students in the school;
2. a component of the plan was included, or a modification under M.G.L. c. 69, § 1J(e) was excluded, on the basis of demonstrably false information or evidence; or
3. the superintendent failed to meet the requirements of M.G.L. c. 69, § 1J(b) to (e), inclusive.

(d) Within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), the school committee or local union may appeal to the commissioner one or more components of the plan pursuant to M.G.L. c. 69, § 1J(f). Within 30 days of the receipt of such appeal, the commissioner shall decide

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the appeal and may, in consultation with the superintendent, make one or more modifications to the plan based on the appeal if the commissioner makes any of the determinations in 603 CMR 2.05(5)(c)1 through 3. The commissioner's decision on the appeal shall be final.

- (e) Within 30 days of the receipt of the last appeal made under M.G.L. c. 69, § 1J(f) and 603 CMR 2.05(5)(d), or, if no such appeal is received within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), at the expiration of those 30 days, the commissioner shall return the turnaround plan to the superintendent incorporating any modifications made under 603 CMR 2.05(5)(c) or (d), or both. Such return of the plan to the superintendent shall constitute the commissioner's approval, pursuant to M.G.L. c. 69, § 1J(b), of the plan returned.

- (6) Annual reviews of Level 4 schools** Superintendents shall use a format provided by the Department for the reviews to be submitted to the commissioner and school committee at least annually pursuant to M.G.L. c. 69, § 1J(k).

(7) Receiver for a school in Level 4

- (a) If the superintendent appoints a receiver for a school in Level 4 pursuant to M.G.L. c. 69, s. 1J(h), the superintendent shall define the scope of the receiver's powers, up to and including all of the powers of the superintendent over the school, including all of the powers granted by M.G.L. c. 69, s. 1J. The superintendent may from time to time modify the scope of the receiver's powers based on conditions in the school. The receiver shall report directly to the superintendent.
- (b) If the commissioner requires the superintendent to terminate the receiver for a school in Level 4 pursuant to M.G.L. c. 69, § 1J(k), the superintendent may, with the approval of the commissioner, select and appoint another receiver for the school in accordance with M.G.L. c. 69, § 1J(h) and 603 CMR 2.05(7)(a).

(8) District improvement planning for Level 4 districts

- (a) The turnaround plan developed pursuant to 603 CMR 2.05(5) for any school in Level 4 shall include, among its provisions pursuant to 603 CMR 2.05(5)(a)(3) for the implementation of the conditions for school effectiveness, provisions for the improvement of district systems for school support and intervention in accordance with the condition for school effectiveness in 603 CMR 2.03(4)(b)(1).

- (b) If a district has been placed in Level 4 pursuant to 603 CMR 2.05(1)(b), the Department shall notify the Level 4 district that it is required to develop a Level 4 District Plan in order to correct the serious deficiencies identified in the district pursuant to 603 CMR 2.05(1)(b); if a district has been placed in Level 4 pursuant to 603 CMR 2.05(1)(a), the Department may notify it that it is required to develop a Level 4 District Plan in order to aid in turning around its Level 4 school or schools.

- (c) Each Level 4 district notified by the Department pursuant to 603 CMR 2.05(8)(b) shall develop a Level 4 District Plan, that includes goals and benchmarks appropriate to the reasons it has been required to develop a Level 4 District Plan,

Deleted: <#>During school year 2009 through 2010, the commissioner may allow for an expedited turnaround plan pursuant to M.G.L. c. 69, § 1J(b), for Level 4 schools that have been previously designated as underperforming and where the district has a turnaround plan that has had a public comment period and approval of the local school committee.¶

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2. qualitative information about the district, including information from the most recent district review¶
to establish goals and benchmarks for each Level 4 district to achieve in order to correct the serious or widespread deficiencies identified in the district, and to establish a timetable for achieving them.

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along with strategies, action steps, and a timetable for achieving those goals and benchmarks. The Level 4 District Plan shall be prepared on a format provided by the Department.

(d) A Level 4 district shall submit any required Level 4 District Plan and any successor Level 4 District Plan for approval by the Department. A district whose Level 4 District Plan is approved by the Department shall receive priority for Department assistance. From year to year, continued priority for Department assistance shall be dependent on the district's success in achieving the goals and benchmarks in the approved Level 4 District Plan or approved successor Level 4 District Plan in accordance with the approved timetable.

(9) **Annual report to Board** The commissioner shall report annually to the Board on the progress made by districts and schools in Level 4.

(10) Removal of school from Level 4

(a) The commissioner shall define for each Level 4 school the academic and other progress that it must make for it to be removed from Level 4. Such progress may include:

i. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by;

1. an increase in MCAS scores and an increase in median student growth percentile;
2. a reduction in the proficiency gap;
3. (for a high school) a higher graduation rate; and
4. (for a high school) a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely; and

ii. progress in implementing the conditions for school effectiveness described in 603 CMR 2.03(4)(b).

(b) The commissioner, in defining the required progress for each school, shall customize it to the particular reasons the school was placed in Level 4, defining it as any or all of the progress in 2.05(10)(a)1 and 2, or any other progress the commissioner determines appropriate.

(c) After consultation with the superintendent, the commissioner shall remove a school from Level 4 when, at any time, the commissioner determines, based on evidence that may include evidence from a report from the accountability monitor appointed pursuant to 603 CMR 2.05(4)(b), a review by the superintendent submitted pursuant to M.G.L. c. 69, § J(k), a review conducted by the commissioner pursuant to M.G.L. c. 69, § 1J(l), or a district review or a follow-up review, that:

- i. the school has achieved the academic and other progress defined by the commissioner under 603 CMR 2.05(10)(a) and
- (b) as necessary to allow it to be removed from Level 4; and

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- 650 ii. the district has the capacity to continue making progress in
651 improving school performance without the accountability and
652 assistance provided due to the school's placement in Level 4.
- 653 (d) At the expiration of the turnaround plan, in conducting a review of the school
654 pursuant to M.G.L. c. 69, § 1J(1), the commissioner shall consider whether the
655 conditions described in 603 CMR 2.05(10)(c)1 and 2 exist. If the
656 commissioner determines that both of these conditions exist, he or she shall
657 remove the school from Level 4.
- 658 (e) Notwithstanding the foregoing requirements of 603 CMR 2.04(10), the commissioner may
659 remove from Level 4 any school for which he or she approves a proposal of closure.
- 660 **(11) Effect of removal of school from Level 4; transitional period**
- 661 a. Upon the commissioner's removal of a school from Level 4 pursuant to 603 CMR
662 2.05(10)(c) or (d), the provisions of M.G.L. c. 69, § 1J, for schools designated as
663 underperforming shall no longer apply to it and the employment of any receiver
664 for the school shall end.
- 665 b. The district and school may continue their relationship with any external partner
666 appointed to advise or assist the superintendent in the implementation of the
667 turnaround plan and may continue to use the turnaround plan in order to continue
668 to improve school performance, renewing or revising it as appropriate, provided
669 that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69,
670 § 1J(d), in contravention of any general or special law to the contrary shall be
671 discontinued unless:
- 672 i. no more than one year before the removal of the school from Level 4 the
673 superintendent proposed to continue such feature of the turnaround plan
674 for a transitional period after the school's removal from Level 4,
675 supporting this proposal with a written explication of the reasons this
676 continuation is necessary and providing the school committee, the
677 teachers' union or association, and the parent organization for the school
678 with a copy of the proposal and supporting documents; and
- 679 ii. before removing the school from Level 4 the commissioner determined,
680 after considering any opposition from the school committee, the teachers'
681 union or association, or the parent organization for the school, that such
682 feature of the turnaround plan would contribute to the continued
683 improvement of the school and should continue after the removal.
- 684 The superintendent may propose to continue and the commissioner may allow to
685 continue more than one such feature of the turnaround plan.
- 686 c. Upon making a determination pursuant to 603 CMR 2.05(11)(b)2 that such
687 feature or features of the turnaround plan should continue, the commissioner shall
688 define the progress that the school must make for each continuing feature of the
689 plan to be discontinued.
- 690 d. On determination by the commissioner at any time, based on evidence that may
691 include evidence from a school or district review or a follow-up review, that the
692 school has made the progress defined under 603 CMR 2.05(11)(c) as necessary to
693 allow a continuing feature of the turnaround plan to be discontinued

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- i. such feature shall be discontinued; and
 - ii. any powers granted to the commissioner or Board with respect to the school under M.G.L. c. 69, § 1J, that did not cease on removal of the school from Level 4 shall cease.
- e. Two years after the removal of the school from Level 4, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the school to determine whether such continuing feature or features should remain in place or be discontinued.

(12) Removal of district from Level 4

(a) A district placed in Level 4 because one or more of its schools has been placed in Level 4 shall be removed from Level 4 when the district no longer has a school in Level 4, unless the district has a Level 4 District Plan and the commissioner has not yet made the determination described in 603 CMR 2.05(12)(b).

(b) A district with a Level 4 District Plan shall be removed from Level 4 by the commissioner, unless it has a school or schools in Level 4, when the commissioner determines, based on evidence that may include evidence from a monitoring report or from a follow-up review, that

- i. the district has satisfactorily achieved the goals and benchmarks of its Level 4 District Plan; and
- ii. the district has the capacity to continue making progress without the accountability and assistance provided by Level 4.

2.06 Accountability and Assistance for Districts and Schools in Level 5

(1) Placement of districts in Level 5

- (a) A district shall be eligible for placement in Level 5 if it is not a single-school district and it scores in the lowest 10% statewide of districts of the same grade levels on a single measure developed by the Department that takes into account at least:

1. district MCAS performance over a four-year period based on Composite Performance Index (CPI) in English language arts; CPI in mathematics; and percentages of students scoring in the "warning" or "failing" category on MCAS; and
2. improvement in student academic achievement.

- (b) The Board may place an eligible district in Level 5 of the framework for district accountability and assistance, if the commissioner so recommends, on the basis of one or more of the following:

1. a district review report;
2. a report from an accountability monitor appointed pursuant to 603 CMR 2.05(4)(b);

Deleted: (a) Upon placement of a district in Level 4 pursuant to 603 CMR 2.05(1), the commissioner shall define for the district the academic and other progress that it must make for it to be removed from Level 4. Such progress may include:¶

<#>an increase in student achievement for three years for students overall and for each subgroup of students, as shown by; ¶

<#>an increase in MCAS scores and an increase in average median student growth percentile;¶

<#>a reduction in the proficiency gap;¶

<#>a higher graduation rate; and¶

<#>a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely;¶

<#>the implementation of district systems and practices that meet district standards established under 603 CMR 2.03(4); and¶

<#>progress in implementing in the district's schools the conditions for school effectiveness described in 603 CMR 2.03(4)(b). ¶

<#>The commissioner, in defining the required progress for the district, shall customize it to the particular reasons the district was placed in Level 4, defining it as any or all of the progress in 2.05(12)(a)1 through 3, or any other progress the commissioner determines appropriate. ¶

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3. a follow-up review report;
 4. quantitative indicators such as student attendance, dismissal, suspension, exclusion, promotion, graduation, and dropout rates, upon the determination of each indicator's reliability and validity, or lack of demonstrated significant improvement for two or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based on special education, low-income, English language proficiency, and racial classifications, or annual growth in MCAS performance for students in the district as compared with peers across the Commonwealth; or
 5. the failure of a Level 4 district to meet, in a timely manner, the benchmarks or goals in its current [Level 4 District Plan](#) as approved by the Department pursuant to 603 CMR 2.05(8)(d).
- (c) Not more than 2.5% of the total number of school districts may be in Level 5 at any given time.
- (d) Before the commissioner recommends that an eligible district be placed in Level 5, a district review team including at least one member with expertise in the academic achievement of students with limited English proficiency shall conduct a district review to assess and report on the reasons for the district's underperformance and the prospects for improvement, unless the commissioner determines that a new review is unnecessary because a district review conducted within the last year is adequate.
- (e) Before placing a district in Level 5, the Board shall consider the findings of the most recent district review, as well as multiple quantitative indicators of district quality such as those listed in 603 CMR 2.06(1)(b)4.
- (f) School district and municipal officials, including the school committee, as well as the local teachers' union or association president or designee, a representative of the local parent organization, and members of the public, shall have an opportunity to be heard by the Board before final action by the Board to place the district in Level 5.

(2) Placement of schools in Level 5

- (a) The commissioner may place a Level 4 school in Level 5 at the expiration of its turnaround plan if the commissioner determines:
1. that the school has failed to improve as required by the goals, benchmarks, or timetable of the turnaround plan; or
 2. that the school has failed to make significant improvement and that conditions in the district make it unlikely that the school will make significant improvement unless it is placed in Level 5.
- (b) School, school district, and municipal officials, including the school committee, as well as the local teachers' union or association president or designee, a representative of the school's parent organization, and family members of students at the school, shall have an opportunity to meet with the commissioner or his or her designee before the commissioner places a school in Level 5.

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(3) Appointment and powers of receiver for a district in Level 5

- (a) Following the placement of a district in Level 5 under 603 CMR 2.06(1)(b), the commissioner, on behalf of the Board, shall appoint a receiver for the district pursuant to M.G.L. c. 69, § 1K(a).
- (b) The receiver shall have the powers provided to the receiver by M.G.L. c. 69, § 1K, including all of the powers of the superintendent and school committee and full managerial and operational control over the district, provided that the district shall remain the employer of record for all other purposes, and provided further that the commissioner may define the scope of the receiver's powers up to those set forth in M.G.L. c. 69, § 1K, based on conditions in the district or its schools. The commissioner may from time to time modify the scope of the receiver's powers based on conditions in the district or its schools.

(4) Replacement of receiver for a district in Level 5 If the commissioner terminates the receiver for a district in Level 5 pursuant to M.G.L. c. 69, § 1K(h), the commissioner shall appoint another receiver for the district in accordance with M.G.L. c. 69, § 1K(a) and 603 CMR 2.06(3)(b).

(5) Receiver for a school in Level 5

- (a) A receiver appointed by the commissioner for a school in Level 5 pursuant to M.G.L. c. 69, s. 1J(r), shall have all of the powers that the superintendent previously had over the school and all of the powers granted to a receiver for a Level 5 school by M.G.L. c. 69, s. 1J. The receiver shall report directly to the commissioner.
 - (b) If the commissioner terminates the receiver for a school in Level 5 pursuant to M.G.L. c. 69, § 1J(v), the commissioner may appoint another receiver for the school in accordance with M.G.L. c. 69, § 1J(r) and 603 CMR 2.06(5)(a).
- (6) Turnaround plans for Level 5 schools** The turnaround plan developed for each school placed in Level 5 shall
- (a) be authorized, pursuant to M.G.L. c. 69, § 1J(t), for a period of up to three years;
 - (b) fulfill the other requirements of M.G.L. c. 69, § 1J;
 - (c) provide for the implementation of the conditions for school effectiveness in 603 CMR 2.03(4)(b);
 - (d) include benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1J, and the conditions for school effectiveness, and a timetable for achieving those benchmarks;
 - (e) include descriptions of the assistance to be provided by the Department in support of the action steps in the plan, subject to the availability of resources for the Department to provide the assistance; and
 - (f) be prepared on a format developed by the Department.

(7) Turnaround plans for Level 5 districts The turnaround plan developed for each district placed in Level 5 shall:

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- (a) focus, pursuant to M.G.L. c. 69, § 1K(b), on any Level 5 school or schools in the district and, using the most recent district review report as a guide, on any district policies or practices that have contributed to the placement of the school or schools or district in Level 5, including but not limited to district systems for school support and intervention;
- (b) be authorized, pursuant to M.G.L. c. 69, § 1K(f), for a period of up to three years;
- (c) fulfill the other requirements of M.G.L. c. 69, § 1K;
- (d) if the district has any Level 4 or Level 5 schools, provide for the implementation in the district of the systems and processes necessary to bring about the conditions for school effectiveness in 603 CMR 2.03(4)(b), including, pursuant to M.G.L. c. 69, § 1K, new turnaround plans for any Level 4 or 5 school for which the turnaround plans are deemed inadequate by the receiver.
- (e) include, for the district: benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1K, and a timetable for achieving those benchmarks;
- (f) describe the assistance to be provided by the Department in support of the action steps in the plan, subject to the availability of the resources for the Department to provide the assistance; and
- (g) be prepared on a format developed by the Department.

(8) Quarterly reports for Level 5 schools and districts

- (a) Quarterly reports for Level 5 schools, including the review by the commissioner to be submitted at least annually to the superintendent and the school committee, shall be submitted pursuant to M.G.L. c. 69, § 1J(u) and (v) on a format developed by the Department.
- (b) Quarterly reports for Level 5 districts, including the evaluation by the commissioner to be submitted at least annually to the Board and the school committee, shall be submitted pursuant to M.G.L. c. 69, § 1K(g) and (h) on a format developed by the Department.

(9) Reports to the Board The commissioner shall report regularly to the Board on the progress made by each district and school in Level 5.

(10) Removal of school from Level 5

- (a) The commissioner shall define for each Level 5 school the academic and other progress that it must make for it to be removed from Level 5. Such progress may include:
1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by:
 - a. an increase in MCAS scores and an increase in median student growth percentile;
 - b. a reduction in the proficiency gap;
 - c. (for a high school) a higher graduation rate; and

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- d. (for a high school) a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely; and
2. progress in implementing the conditions for school effectiveness described in 603 CMR 2.03(4)(b).
- (b) The commissioner, in defining the required progress for each school, shall customize it to the particular reasons the school was placed in Level 5, defining it as any or all of the progress in 603 CMR 2.06(10)(a)1 and 2, or any other progress the commissioner determines appropriate.
- (c) The commissioner shall remove a school from Level 5 when, at any time, the commissioner determines, based on evidence that may include a report from the accountability monitor appointed pursuant to 603 CMR 2.05(4)(b), from the school's or district's receiver, if any, from a district review, or from a follow-up review, that:
1. the school has achieved the academic and other progress defined by the commissioner under 603 CMR 2.06(10)(a) and (b) as necessary to allow it to be removed from Level 5; and
 2. the district has the capacity to continue making progress in improving school performance without the accountability and assistance provided due to the school's placement in Level 5.
- (d) At the expiration of the turnaround plan, in conducting a review of the school pursuant to M.G.L. c. 69, § 1J(w), the commissioner shall consider whether the conditions described in 603 CMR 2.06(10)(c)1 and 2 exist. If the commissioner determines that both of these conditions exist, he or she shall remove the school from Level 5.
- (11) Effect of removal of school from Level 5; transitional period**
- (a) Upon the commissioner's removal of a school from Level 5, the provisions of M.G.L. c. 69, § 1J, for schools designated as chronically underperforming shall no longer apply to it and the employment of any receiver for the school shall end.
- (b) The district and school may continue to use the turnaround plan in order to continue to improve school performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1J(o), in contravention of any general or special law to the contrary shall be discontinued unless the commissioner determined before removing the school from Level 5 that such feature of the turnaround plan would contribute to the continued improvement of the school and should continue for a transitional period after the removal. The commissioner may allow more than one such feature of the turnaround plan to continue.
- (c) Upon making a determination pursuant to 603 CMR 2.06(11)(b) that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the school must make for each continuing feature of the plan to be discontinued.

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(d) On determination by the commissioner at any time, based on evidence that may include evidence from a school or district review or a follow-up review, that the school has made the progress defined under 603 CMR 2.06(11)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued

1. such feature shall be discontinued; and

2. any powers granted to the commissioner or Board with respect to the school under M.G.L. c. 69, § 1J, that did not cease on removal of the school from Level 5 shall cease.

(e) Two years after the removal of the school from Level 5, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the school to determine whether such continuing feature or features should remain in place or be discontinued.

(12) Termination of receivership and removal of district from Level 5

(a) The commissioner shall define for each Level 5 district the academic and other progress that it must make for it to be removed from Level 5. Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by:

a. an increase in MCAS scores and an increase in median student growth percentile;

b. a reduction in the proficiency gap;

c. a higher graduation rate; and

d. a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely;

2. the implementation of district systems and practices that meet district standards established under 603 CMR 2.03(4); and

3. progress in implementing in the district's schools the conditions for school effectiveness described in 603 CMR 2.03(4)(b).

(b) The commissioner, in defining the required progress for the district, shall customize it to the particular reasons the district was placed in Level 5, defining it as any or all of the progress in 603 CMR 2.06(12)(a)1 through 3, or any other progress the commissioner determines appropriate.

(c) The commissioner shall terminate the receivership and remove the district from Level 5 when, at any time, the commissioner determines, based on evidence that may include a report from the district's receiver or a follow-up review, that

1. the district has achieved the academic and other progress defined by the commissioner under 603 CMR 2.06(12)(a) and (b) as necessary to allow it to be removed from Level 5; and

2. the district has the capacity to continue making progress without the accountability and assistance provided by Level 5.

Deleted: average

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- (d) At the expiration of the turnaround plan, in reevaluating the district's Level 5 status pursuant to M.G.L. c. 69, § 1K(i), the commissioner shall consider whether the conditions described in 603 CMR 2.06(12)(c)1 and 2 exist. If the commissioner determines that both of these conditions exist, he or she shall terminate the receivership and remove the district from Level 5.

(13) Effect of removal of district from Level 5; transitional period

- (a) Upon the commissioner's removal of a district from Level 5, the provisions of M.G.L. c. 69, § 1K, for districts designated as chronically underperforming shall no longer apply to it and the employment of the receiver shall end.
- (b) The district may continue to use the turnaround plan in order to continue to improve students' academic performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1K(d), in contravention of any general or special law to the contrary shall be discontinued unless the commissioner determined, before removing the district from Level 5, that such feature of the turnaround plan would contribute to the continued improvement of the district and should continue for a transitional period after the removal. The commissioner may allow more than one such feature of the turnaround plan to continue.
- (c) Upon making a determination pursuant to 603 CMR 2.06(13)(b) that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the district must make for each continuing feature of the plan to be discontinued.
- (d) On determination by the commissioner at any time, based on evidence that may include evidence from a district review or a follow-up review, that the district has made the progress defined under 603 CMR 2.06(13)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued:
1. such feature shall be discontinued; and
 2. any powers granted to the commissioner or Board with respect to the district under M.G.L. c. 69, § 1K, that did not cease on removal of the district from Level 5 shall cease.
- (e) Two years after the removal of the district from Level 5, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the district to determine whether such continuing feature or features should remain in place or be discontinued.

(14) Petition by school committee of a Level 5 district

- (a) When the school committee of a Level 5 district petitions the commissioner, pursuant to M.G.L. c. 69, § 1K (i), for either modification of the turnaround plan or elimination of the turnaround plan and termination of the receivership, the commissioner shall decide the petition after considering the following:
1. written arguments and supporting documentation submitted with the petition by the school committee;

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2. written arguments and supporting documentation submitted in response to the petition by the receiver; and

3. the report of any follow-up review conducted since the district was placed in Level 5.

(b) If no follow-up review has been conducted within the last year before the commissioner's receipt of the petition and the commissioner determines that such a review would be useful in deciding on the petition, the commissioner may cause one to be conducted and delay the decision on the petition until 30 days after receiving the follow-up review report, provided that a decision on the petition shall be made within four months of the commissioner's receipt of the petition.

(c) Within 30 days of receiving the commissioner's decision, the school committee may appeal an adverse decision to the Board. The Board shall consider the evidence described in 603 CMR 2.06(14)(a)1 through 3 and may consider other evidence from the school committee, receiver, and commissioner. The decision of the Board shall be made within 60 days of receiving the appeal and shall be final.

(d) Neither the process before the commissioner nor the process before the Board shall be an adjudicatory hearing.

(e) No petition for the elimination of the turnaround plan and termination of the receivership shall be granted unless the commissioner or, in the case of an appeal, the Board determines

1. that the district has achieved the progress defined by the commissioner under 603 CMR 2.06(12)(a) as necessary to allow the district to be removed from Level 5 or that the district has achieved other, comparable or superior progress; and

2. that the district has the capacity to continue making progress without the accountability and assistance provided by Level 5.

(f) Upon a decision by the commissioner or the Board granting a petition for the elimination of the turnaround plan and termination of the receivership, the receivership shall be terminated and the district removed from Level 5.

2.07 Mathematics Content Assessments at Level 4 and Level 5 Schools

(1) **Requirement of taking a mathematics content assessment** The superintendent or the school's receiver, if any, may require all mathematics teachers at a Level 4 school to take a mathematics content assessment approved by the Department. The commissioner or the school's receiver, if any, may require all mathematics teachers at a Level 5 school to take a mathematics content assessment approved by the Department. A mathematics teacher shall be required to take a mathematics content assessment pursuant to 603 CMR 2.07(1) no more than once a year.

(2) **Use of results** Individual results on a mathematics content assessment taken pursuant to 603 CMR 2.07(1) shall be used by the mathematics teacher and the school principal in developing or revising professional development plans, as provided in the Recertification Regulations, 603 CMR 44.04(4), and shall be considered by school and district administrators in turnaround planning in the school. These individual results are to be

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used for diagnostic and turnaround planning purposes only, and individual mathematics teachers' results shall not be considered public records.

(3) Exceptions

(a) A mathematics teacher who would otherwise be required to take a mathematics content assessment pursuant to 603 CMR 2.07(1) shall not be required to take it if the teacher:

1. has passed the Elementary Mathematics, Middle School Mathematics, or Mathematics test of the Massachusetts Tests for Educator Licensure or has passed or been deemed under 603 CMR 7.14(14)(g) to have passed the Mathematics subtest of the General Curriculum test of the Massachusetts Tests for Educator Licensure; and

2. is appropriately licensed for the mathematics the teacher is teaching.

(b) The superintendent or commissioner or the schools receiver, if any, may waive the mathematics content assessment requirement for an individual mathematics teacher based on a finding that the teacher has demonstrated mastery of mathematics or that special circumstances exist that make the assessment requirement inappropriate or immaterial.

Regulatory Authority:

M.G.L. c. 69, § 1B; c. 69, §§ 1J and 1K, as amended by St. 2010, c. 12, § 3; c. 71, § 38G.

DESE:
Proposed changes to
603 CMR 2.00 (first draft) –
2018

PROPOSED AMENDMENTS TO REGULATIONS ACCOUNTABILITY AND ASSISTANCE FOR SCHOOL DISTRICTS AND SCHOOLS 603 CMR 2.00

- Presented to the Board of Elementary and Secondary Education for initial review and vote to solicit public comment: **March 27, 2018**
- Period of public comment: **through Friday, May 18, 2018**
- Final action by the Board of Elementary and Secondary Education anticipated: **June 26, 2018**

The proposed amendments will align the regulations with ESE's approved accountability system, which meets the federal requirements outlined in Every Student Succeeds Act; update the measures used to make accountability determinations to reflect changes to the statewide assessment system; and clarify in the regulations the Board's role in reviewing and approving potential changes to the accountability system.

Proposed amendments are indicated by underline (new language) or ~~strikethrough~~ (deleted language). For the complete text of the current regulations, 603 CMR 30.00, see <http://www.doe.mass.edu/lawsregs/603cmr2.html>

603 CMR 2.00: Accountability and Assistance for School Districts and Schools

Section:

- 2.01: Authority, Scope, and Purpose
- 2.02: Definitions
- 2.03: Accountability and Assistance for All Districts and Schools ~~in All Levels~~
- 2.04: Accountability and Assistance for Districts and Schools Not Designated as Underperforming or Chronically Underperforming in Levels 1 through 3
- 2.05: Accountability and Assistance for Underperforming Districts and Schools ~~in Level 4~~
- 2.06: Accountability and Assistance for Chronically Underperforming Districts and Schools ~~in Level 5~~
- 2.07: Mathematics Content Assessments at Level 4 Underperforming and Level 5 Chronically Underperforming Schools

Adopted by the Board of Education: June 16, 1997

Most Recently Amended by the Board of Education: April 18, 2017

2.01: Authority, Scope and Purpose

(1) 603 CMR 2.00 is promulgated pursuant to the authority of the Board of Elementary and Secondary Education under M.G.L. c. 69, §§ 1B, 1J, and 1K, and c. 71, § 38G.

(2) 603 CMR 2.00 governs the review of the educational programs and services provided by the Commonwealth's public schools and the assistance to be provided by districts and the Department to improve them; it identifies the circumstances under which a school may be declared underperforming ~~(placed in Level 4)~~ and those under which a school or school district may be declared chronically underperforming ~~(placed in Level 5)~~, resulting in accountability and assistance in accordance with M.G.L. c. 15, §55A and c. 69, §§ 1J and 1K.

(3) The purpose of 603 CMR 2.00 is to hold districts and schools accountable for educating their students well and to assist them in improving the education they provide.

2.02: Definitions

Annual Performance Determination shall mean annual district, grade level, school, or student subgroup achievement and improvement, as determined by the Department relative to indicators ~~including which may include,~~ but ~~need~~ not ~~be~~ limited to, achievement ~~and improvement~~ in English language arts, ~~and~~ mathematics, ~~and science, student growth in English language arts and mathematics, high school completion, and English language proficiency,~~ in accordance with the federal Elementary and Secondary Education Act (ESEA).

~~**Behavioral health and public schools framework** shall mean the framework developed by the Task Force on Behavioral Health and Public Schools pursuant to St. 2008, c. 321, § 19, to "promote collaboration between schools and behavioral health services and promote supportive school environments where children with behavioral health needs can form relationships with adults and peers, regulate their emotions and behaviors, and achieve academic and nonacademic school success and reduce truancy and the numbers of children dropping out of school."~~

Benchmark assessment shall mean an assessment that is given at regular and specified intervals throughout the school year, is designed to evaluate students' knowledge and skills relative to a specific set of academic standards, and produces results that can be aggregated (e.g., by course, grade level, school, or district) in order to inform teachers and administrators at the student, classroom, school, and district levels.

Board shall mean the Board of Elementary and Secondary Education, appointed in accordance with M.G.L. c. 15, § 1E.

Charter School A public school operated under a charter granted by the Board pursuant to M.G.L. c. 71, § 89 and 603 CMR 1.00.

Chronically underperforming district shall mean the designation given to a district by the Board of Elementary and Secondary Education in accordance with M.G.L. c. 69, § 1K.

Chronically underperforming school shall mean the designation given to an underperforming school by the commissioner in accordance with M.G.L. c. 69, § 1J (l).

Commissioner shall mean the commissioner of elementary and secondary education, appointed in accordance with M.G.L. c. 15, § 1F, or his or her designee.

Commonwealth of Massachusetts Virtual School shall mean a public school operated under a certificate granted by the commissioner pursuant to M.G.L. c. 71, § 94 and 603 CMR 52.00.

~~**Composite Performance Index or CPI** shall mean a 100-point index that assigns 100, 75, 50, 25, or 0 points to each student participating in MCAS and MCAS-Alt tests based on their performance. The total points assigned to each student are added together and the sum is divided by the total number of students assessed. The result is a number between 0 and 100, which constitutes a district, school or group's CPI for that subject and student group. The CPI is a measure of the extent to which students are progressing toward proficiency (a CPI of 100) in English Language Arts (ELA), mathematics, and science. CPIs are generated separately for ELA, mathematics, and science, and at all levels-state, district, school, and student group.~~

~~**Conditions for school effectiveness** shall mean certain necessary conditions for schools to educate their students well. These conditions are integrated into the district indicators.~~

Core subjects shall mean the subjects specified in M.G.L. c. 69, § 1D (science, technology, and mathematics, history and social science, English, foreign languages and the arts) and subjects covered in courses that are part of an approved vocational-technical education program under M.G.L. c. 74.

Department shall mean the Department of Elementary and Secondary Education acting through the commissioner or his or her designee.

District or school district shall mean a municipal school department or regional school district, acting through its school committee or superintendent of schools, or a county agricultural school, acting through its board of trustees or superintendent/director. For the purposes of 603 CMR 2.00 it shall not mean a charter school or a Commonwealth of Massachusetts virtual school. ; charter schools are subject to accountability provisions set forth in M.G.L. c. 71, § 89, 603 CMR 1.00, and federal law.

District Analysis and Review Tool or DART shall mean an electronic interface, using graphics and showing trends, of a sampling of relevant data kept by the Department or submitted to the Department by districts over time in areas including but not limited to district and school demographics, access, performance, educator licensure and turnover, student support, and educational resources.

District Improvement Plan shall mean the comprehensive, three-year improvement plan each district is required to develop under M.G.L. c. 69, § 1I.

District indicators shall mean the detailed performance indicators associated with the district standards and developed by the Department.

District review shall mean a school district audit conducted by the Department under M.G.L. c. 15, § 55A, in accordance with a process and protocol established by the commissioner on behalf of the Board pursuant to M.G.L. c. 69, § 1B, and based on published district standards and indicators.

District review report shall mean the report of a district review by a district review team, as required by M. G.L. c. 15, § 55A.

District review team shall mean a group of individuals appointed by the Department, pursuant to M.G.L. c. 15, § 55A, to conduct a district review.

District standards shall mean the standards developed and published by the Department pursuant to listed in 603 CMR 2.03(4)2.03(5)(a) and (b) that are the basis for district reviews, improvement planning, and other forms of accountability and assistance.

ESEA shall mean the Elementary and Secondary Education Act, 20 U.S.C. 6301 et seq., reauthorized in 2001 as the No Child Left Behind Act, 2015 as the Every Student Succeeds Act.

Follow-up review shall mean a review conducted following a district review to gather further information, to be used for such purposes as determining whether a Level 4 an underperforming district should be placed in Level 5 reclassified as chronically underperforming or whether a school or district should be removed from Level 4 or Level 5 underperforming or chronically underperforming status.

Follow-up review report shall mean the report of a follow-up review.

Formative assessment shall mean assessment questions, tools, and processes that are embedded in instruction and are used by teachers and students to provide timely feedback for purposes of adjusting instruction to improve learning.

Framework for district accountability and assistance shall mean the five-level system for district and school accountability and assistance approved by developed in consultation with the Board's advisory council on school and district accountability and assistance, approved by the Board, and implemented by the Department pursuant to 603 CMR 2.03(1).

Level 4 District Plan shall mean a plan for improvement that a district placed in Level 4 is required to develop and implement pursuant to 603 CMR 2.05(8)(b), (c), and (d). In the case of a district in Level 4 that was declared underperforming by the Board before April 27, 2010, Level 4 District Plan shall mean

~~the current version of the turnaround plan the district adopted as a result of having been so declared. A Level 4 District Plan may serve as the district's District Improvement Plan.~~

~~Levels 1-5 shall mean the levels in the Department's framework for district accountability and assistance, required by 603 CMR 2.03(1), in which schools and districts in the Commonwealth are placed. See definitions in 603 CMR 2.02 for placing a district in Level 5, placing a school in Level 4, and placing a school in Level 5.~~

Mathematics content assessment: A diagnostic assessment of mathematics content knowledge approved by the Department that mathematics teachers at ~~a Level 4 or Level 5~~ an underperforming or chronically underperforming school may be required to take, at no cost to the district or the teacher for the assessment instrument or its scoring.

Mathematics teacher: Shall mean any educator who teaches mathematics in a Massachusetts public school.

MCAS shall mean the Massachusetts Comprehensive Assessment System, provided for in M.G.L. c. 69, § 1I.

~~Placing a district in Level 5 shall mean declaring that district to be chronically underperforming in accordance with M.G.L. c. 69, § 1K. Level 5 is the last of the five levels in the Department's framework for district accountability and assistance.~~

~~Placing a school in Level 4 shall mean designating that school as underperforming in accordance with M.G.L. c. 69, § 1J. Level 4 is the fourth of the five levels in the Department's framework for district accountability and assistance.~~

~~Placing a school in Level 5 shall mean designating that school as chronically underperforming in accordance with M.G.L. c. 69, § 1J. Level 5 is the last of the five levels in the Department's framework for district accountability and assistance.~~

Receiver shall:

- (a) for a district, mean a non-profit entity or an individual with a demonstrated record of success in improving low-performing schools or districts or the academic performance of disadvantaged students, appointed by the commissioner on behalf of the Board for a district ~~placed in Level 5~~ designated as chronically underperforming, pursuant to M.G.L. c. 69, § 1K(a), and 603 CMR 2.06(3); and
- (b) for a school, mean a non-profit entity or an individual with a demonstrated record of success in improving low-performing schools or the academic performance of disadvantaged students, appointed for a school ~~in Level 4~~ designated as underperforming by the superintendent pursuant to M.G.L. c. 69, § 1J(h) and 603 CMR 2.05(7) and for a school ~~in Level 5~~ designated as chronically

underperforming by the commissioner pursuant to M.G.L. c. 69, § 1J(r), (v), or (w) and 603 CMR 2.06(5).

School shall mean a single public school, ~~consisting of one or more school buildings,~~ which operates under the direct administration of a principal, director, or school leader appointed by the school district ~~or board of trustees~~ responsible for its governance. ~~For the purposes of 603 CMR 2.00 it shall not mean a charter school; charter schools are subject to accountability provisions set forth in M.G.L. c. 71, § 89, 603 CMR 1.00, and federal law.~~

School Improvement Plan shall mean the plan for improved student performance each school is required to develop annually under M.G.L. c. 69, § 1I.

~~**School review** shall mean a school audit conducted by the Department under M.G.L. c. 15, § 55A, in accordance with a process and protocol established by the commissioner on behalf of the Board pursuant to M.G.L. c. 69, § 1B.~~

Student growth ~~percentile or SGP~~ shall mean a measure of how much a student's performance achievement has improved from one year to the next ~~relative to other students statewide with a similar MCAS test score history.~~

Subgroup shall mean one of the groups of students for which the Department issues annual performance determinations, including but not limited to students with disabilities, ~~students with limited English proficiency~~ English learners, economically disadvantaged students, and students belonging to major racial and ethnic groups.

~~**Tiered instruction** shall mean a data-driven prevention, early detection, and support system that guides the allocation of school and district resources with the aim of providing high quality core educational experiences for all students and targeted interventions to struggling students who experience learning or behavioral challenges.~~

Turnaround plan shall mean the plan to improve student achievement in a Level 4 or Level 5a underperforming or chronically underperforming school or ~~a Level 5a chronically underperforming~~ district that may serve as the School Improvement Plan or District Improvement Plan.

Underperforming district shall mean the designation given to a district by the Board of Elementary and Secondary Education in accordance with 603 CMR 2.05(1).

Underperforming District Plan shall mean a plan for improvement that a district that is designated underperforming is required to develop and implement pursuant to 603 CMR 2.05(8)(b), (c), and (d).

Underperforming school shall mean the designation given to a school by the commissioner in accordance with M.G.L. c. 69, § 1J.

Virtual School A public school operated under a certificate granted by the Board pursuant to M.G.L. c. 71, § 94 and 603 CMR 52.00.

2.03: Accountability and Assistance for All Districts and Schools ~~in All Levels~~

(1) **Framework for district and school accountability and assistance** The Department shall implement a ~~five-level~~ system for district and school accountability and assistance, approved by the Board and known as the framework for district accountability and assistance, for the purpose of improving student ~~achievement~~ performance. Both the priority for assistance and the degree of intervention shall increase ~~from Level 1 to Level 5~~, as the severity and duration of ~~identified problems~~ low performance increase. Under the framework, districts shall hold their schools accountable for educating their students well and assist them in doing so; the Department shall hold districts accountable for both of these functions and assist them in fulfilling them.

(2) **Reported measures** Each year, the Department will report:

- (a) A measure of each school's relative standing compared to other schools;
- (b) A measure of each district and school's performance against targets for each accountability indicator, as set by the Department;
- (c) For each district, school, and student group that meets the minimum group size requirement for reporting:
 - 1. Assessment participation rates; and
 - 2. Whether the district, school, or student group met the participation rate requirements established by the Department;
- (d) Information related to each school's need for targeted support or intervention; and
- (e) Information related to schools that demonstrate exemplary performance, as determined by the commissioner.

~~(2)~~(3) **District reviews** The Department may conduct a district review, encompassing the district and its schools, of any district ~~in Levels 1-5~~.

~~(3)~~(4) **District Analysis and Review Tool** The Department shall provide the District Analysis and Review Tool to every district, including multiple data elements, giving schools the capability of comparing themselves with similar schools or other schools of their choice, and giving districts the capability of comparing themselves with similar districts or other districts of their choice.

~~(4)~~(5) **District standards and indicators**

- (a) District reviews, improvement planning, and other forms of accountability and assistance shall be based on standards of effective policy and practice in:

1. Leadership and governance;
2. Curriculum and instruction;
3. Assessment;
4. Human resources and professional development;
5. Student support; and
6. Financial and asset management.

(b) The Department shall publish a detailed version of the standards and associated indicators, which shall be informed by research-based practices identified as characteristic of schools that have experienced rapid improvements in student outcomes, as well as associated indicators which shall include the following conditions for school effectiveness:

- ~~1.—Effective district systems for school support and intervention: The district has systems and processes for anticipating and addressing school staffing, instructional, and operational needs in timely, efficient, and effective ways, especially for its lowest performing schools.~~
- ~~2.—Effective school leadership: The district and school take action to attract, develop, and retain an effective school leadership team that obtains staff commitment to improving student learning and implements a clearly defined mission and set of goals.~~
- ~~3.—Aligned curriculum: The school's taught curricula are aligned to state curriculum frameworks and the MCAS performance level descriptions, and are also aligned vertically between grades and horizontally across classrooms at the same grade level and across sections of the same course.~~
- ~~4.—Effective instruction: Instructional practices are based on evidence from a body of high quality research and on high expectations for all students and include use of appropriate research-based reading and mathematics programs; the school staff has a common understanding of high-quality evidence-based instruction and a system for monitoring instructional practice.~~
- ~~5.—Student assessment: The school uses a balanced system of formative and benchmark assessments.~~
- ~~6.—Principal's staffing authority: The principal has the authority to make staffing decisions based on the School Improvement Plan and student needs, subject to district personnel policies, budgetary restrictions and the approval of the superintendent.~~
- ~~7.—Professional development and structures for collaboration: Professional development for school staff includes both individually pursued activities and school-based, job-embedded approaches, such as instructional coaching. It also includes content-oriented learning. The school has structures for regular, frequent collaboration to improve implementation of the curriculum and instructional practice. Professional development and structures for collaboration are evaluated for their effect on raising student achievement.~~
- ~~8.—Tiered instruction and adequate learning time: The school schedule is designed to provide adequate learning time for all students in core subjects. For students not yet on track to proficiency in English language arts or mathematics, the school provides~~

~~additional time and support for individualized instruction through tiered instruction, a data-driven approach to prevention, early detection, and support for students who experience learning or behavioral challenges, including but not limited to students with disabilities and English language learners.~~

~~9. Students' social, emotional, and health needs: The school creates a safe school environment and makes effective use of a system for addressing the social, emotional, and health needs of its students that reflects the behavioral health and public schools framework.~~

~~10. Family-school engagement: The school develops strong working relationships with families and appropriate community partners and providers in order to support students' academic progress and social and emotional well-being.~~

~~11. Strategic use of resources and adequate budget authority: The principal makes effective and strategic use of district and school resources and has sufficient budget authority to do so.~~

~~(5)(6)~~ **District improvement planning** Every district shall develop and implement an annual self-evaluation and district improvement planning process. ~~using the district standards and indicators established under 603 CMR 2.03(4).~~

(a) The district's self-evaluation and planning process shall result, every three years, in a comprehensive written three-year District Improvement Plan to improve the performance of the district and its schools.

(b) Each year, every school shall adopt school performance goals and develop and implement a written School Improvement Plan to advance those goals and improve student performance. The School Improvement Plan shall be aligned with the District Improvement Plan.

(c) A district's District Improvement Plan and School Improvement Plans shall be based on an analysis of data, including but not limited to data on student performance and the District Analysis and Review Tool provided by the Department under 603 CMR 2.03~~(3)~~(4), and an assessment of actions the district and its schools must take to improve that performance.

(d) District Improvement Plans and School Improvement Plans shall, in form and content, conform to requirements set forth in M.G.L. c. 69, § 1I.

~~(6)(7)~~ **Assistance from the Department**

(a) The Department shall make available a variety of ~~such~~ forms of assistance, such as examples, tools, templates, protocols, and surveys to assist districts and schools in assessing themselves and improving student performance.

(b) The Department shall also make available to districts, to the extent funding allows, professional development opportunities and assistance from Department staff members, Department contractors, or third party partners. Priority for receiving professional development or assistance, as well as the degree of intervention by the Department, shall ~~increase from Level 1 to Level 5~~ be based on the annual performance determination by the Department of the district or one or more of its schools.

(8) Annual Report to Board The Department shall report annually to the Board on district and school accountability results.

(9) Notice and Consultation The commissioner will provide notice of proposed changes to the accountability system, including changes to the indicators or the weighting of indicators in the accountability system, and submit the proposed changes to the Board for approval.

2.04: Accountability and Assistance for Districts and Schools ~~in Levels 1-3~~ Not Designated as Underperforming or Chronically Underperforming

(1) ~~Placement of schools and districts in Levels 1 and 2~~ Annual performance determination Districts and schools will be assigned an annual performance determination in accordance with the district and school accountability system developed by the Department and approved by the Board. This annual determination shall include:

(a) For schools, a normative measure of school performance that provides information regarding each school's relative standing compared to other schools statewide; and

(b) For districts and schools, a criterion referenced component that provides information regarding the progress that each district or school is making toward targets established by the Department.

~~(a) A school shall be placed in Level 1 or 2 of the framework for district accountability and assistance based on the performance of students in the aggregate and subgroups, according to the Department's annual performance determination. The Department shall publish guidance for schools as to what performance leads to placement in what level.~~

~~(b) A school shall move from one level to another within Levels 1 and 2 by virtue of change in the performance of students in the aggregate and subgroups, according to the Department's annual performance determination, and in accordance with guidance published by the Department pursuant to 603 CMR 2.04(1)(a).~~

~~(c) Districts shall be placed in Levels 1 and 2 in accordance with the levels of their schools, and shall move from one level to another within Levels 1 and 2 by virtue of change in their schools' levels pursuant to 603 CMR 2.04(1)(b). The Department shall publish guidance for districts as to what performance leads to placement in what level.~~

(2) ~~Placement of schools and districts in Level 3~~ A school shall be placed in Level 3 of the framework for district accountability and assistance if any one of its subgroups scores among the lowest performing subgroups in the state. The Department may place a school in Level 3 if it scores in the lowest 20% statewide of schools serving common grade levels pursuant to 603 CMR 2.05(2)(a). The Department shall publish guidance describing the specific methodology used to identify Level 3 schools, as well as guidance for districts as to what performance leads to placement in what level.

(3)-(2) Self-assessment by districts ~~in Level 3~~ with schools in need of targeted support or intervention A district ~~in Level 3~~ with one or more schools identified as in need of support or intervention shall use a

process approved by the Department to complete a self-assessment, ~~shall use the self-assessment to identify unmet conditions for school effectiveness (see 603-CMR 2.03(4)(b)),~~ and shall address the ~~unmet conditions~~needs identified by the self-assessment by revising its District Improvement Plan and School Improvement Plans.

~~(4) **Limitation of certain provisions** In 2017, the provisions of 603-CMR 2.04 (1)–(3) will not apply to any school that enrolls students in grades 3–8, provided that the school has a participation rate of at least 90 percent in the administration of the spring 2017 MCAS tests and does not have a persistently low graduation rate.~~

2.05: Accountability and Assistance for Underperforming Districts and Schools in Level 4

(1) ~~Placement of districts in Level 4~~Designating districts as underperforming

~~(a) A district shall be placed in Level 4 if any of its schools has been placed in Level 4, pursuant to 603-CMR 2.05 (2).~~

~~(b) The Board may place a district in Level 4~~designate a district as underperforming upon recommendation of the commissioner based on findings from a district review, monitoring report, or follow-up review showing serious deficiencies, relating to one or more district standards, that are likely if they are not addressed effectively and in a timely manner to have a substantial negative effect on student performance in the district, putting the district at risk of being ~~placed in Level 5~~designated as chronically underperforming.

~~(c) A district may be placed in Level 4 pursuant to both 603-CMR 2.05(1)(a) and 603-CMR 2.05(1)(b).~~

~~(d) A district declared underperforming by a vote of the Board prior to April 27, 2010, shall remain in Level 4 until the commissioner makes the determination described in 603-CMR 2.05(12)(b) and it has no schools in Level 4, unless the Board has voted to remove the district from underperforming status.~~

(2) ~~Placement of schools in Level 4~~Designating schools as underperforming

(a) A school shall be eligible for placement in Level 4designation as underperforming if it scores in the lowest 20% statewide of schools serving common grade levels on a single measure developed by the Department that takes into account at least:

1. school MCAS ~~performance over a four-year period based on Composite Performance Index (CPI) achievement~~ in English language arts, mathematics, and science; ~~CPI in mathematics; and percentages of students scoring in the "warning" or "failing" category on MCAS; and~~
2. improvement student growth in student academic performance in English language arts and mathematics.

(b) The commissioner may ~~place a school in Level 4~~designate a school as underperforming on the basis of quantitative data including but not limited to:

1. school MCAS ~~performance over a four year period based on Composite Performance Index (CPI) achievement~~ in English language arts, ~~mathematics, and science~~; ~~CPI in mathematics; and percentages of students scoring in the "warning" or "failing" category on MCAS;~~
2. ~~improvement change~~ in school MCAS ~~performance achievement as represented by change in CPI (for years available, up to four);~~
3. annual ~~student~~ growth ~~in on~~ MCAS ~~performance~~ for students at the school as compared with peers across the Commonwealth ~~(for years available, up to four);~~
4. in the case of high schools, graduation and dropout rates; or
5. other indicators of school performance including student attendance, dismissal, suspension, exclusion, and promotion rates upon the determination of each indicator's reliability and validity, or lack of demonstrated significant improvement for two or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based on special education, ~~low-income~~ ~~economically disadvantaged~~, English ~~language proficiency~~ ~~learner status~~, and racial classifications; or on the basis of information from a school or district review performed under M.G.L. c.15, § 55A.

(c) -Charter schools and Commonwealth of Massachusetts virtual schools shall not be eligible for designation as underperforming schools. Charter schools shall also be held accountable under the provisions of M.G.L. c. 71, § 89, and 603 CMR 1.00. Commonwealth of Massachusetts virtual schools shall also be held accountable under the provisions of M.G.L. c. 71, § 94, and 603 CMR 52.00.

~~(c)(d)~~ Not more than 4% of the total number of public schools may be ~~in Levels 4 and 5~~ designated as underperforming or chronically underperforming, taken together, at any given time.

~~(d) Any school designated by the Board as chronically underperforming prior to 2010 may be placed in Level 4.~~

(3) **Notification** The Department shall notify districts ~~of the placement of any of their schools in Level 4 in which any school is designated as underperforming~~. The notification shall be made to the school committee, superintendent, and local teachers' union or association president, and the principal and the parent organization of any school ~~placed in Level 4~~ designated as underperforming.

(4) **Appointment of assistance and accountability personnel** Upon ~~placement of a district in Level 4~~ designating a district as underperforming, the Department may make any or all of the following appointments:

(a) an assistance liaison:

1. to support the district in developing and carrying out a turnaround plan for each of its Level 4 underperforming schools, if any; and
2. to support the district in district improvement planning pursuant to 603 CMR 2.05(8), if required;

(b) an accountability monitor to determine and report on:

1. whether the goals, benchmarks, and timetable in the turnaround plan for each of the district's [Level 4underperforming](#) schools, if any, are being met; and
 2. if the district has [a Level 4an Underperforming](#) District Plan pursuant to [603 CMR 2.08\(c\)](#), whether its goals, benchmarks, and timetable are being met; and
- (c) an individual or team to conduct monitoring site visits to the district or its schools.

(5) Turnaround plans for [Level 4underperforming](#) schools

(a) The turnaround plan developed for each school [placed in Level 4designated as underperforming](#) shall:

1. be authorized, pursuant to M.G.L. c. 69, s. § 1J(j), for a period of up to three years, and remain in effect until the statutory process to develop any new, modified, or renewed turnaround plan has been completed, or the school has been removed from [Level 4underperforming status](#);
2. fulfill the other requirements of M.G.L. c. 69, § 1J;
3. provide for the implementation of [the conditions for school effectiveness](#)~~the standards and indicators in published pursuant to~~ [603 CMR 2.03\(4\)2.03\(5\)\(a\) and \(b\)](#);
4. include benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1J, and [the conditions for school effectiveness](#)~~the standards and indicators~~, and a timetable for achieving those benchmarks;
5. include descriptions of the assistance to be provided by the Department in support of the action steps in the plan, as agreed on by the Department and the superintendent, subject to the availability of resources for the Department to provide the assistance; and
6. be prepared on a format provided by the Department.

(b) Once the superintendent has received the recommendations of the local stakeholder group under M.G.L. c. 69, § 1J(b), the superintendent may request that the school committee and any union bargain or reopen the bargaining of the relevant collective bargaining agreement, pursuant to M.G.L. c. 69, § 1J(g). If necessary, the 30 days provided by M.G.L. c. 69, § 1J(e) for the superintendent to submit a turnaround plan for modifications to the local stakeholder group, school committee, and commissioner shall be extended, without exceeding the time periods mandated by M.G.L. c. 69, § 1J(g), to provide time for bargaining, ratification, a dispute resolution process, the submission of a decision by the joint resolution committee, or a resolution by the commissioner, pursuant to M.G.L. c. 69, § 1J(g).

(c) Within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), the commissioner shall review the plan and may, in consultation with the superintendent, modify the plan if the commissioner determines that

1. such modifications would further promote the rapid academic achievement of students in the school;
2. a component of the plan was included, or a modification under M.G.L. c. 69, § 1J(e) was excluded, on the basis of demonstrably false information or evidence; or
3. the superintendent failed to meet the requirements of M.G.L. c. 69, § 1J(b) to (e), inclusive.

(d) Within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), the school committee or local union may appeal to the commissioner one or more components of the plan pursuant to M.G.L. c. 69, § 1J(f). Within 30 days of the receipt of such appeal, the commissioner shall decide the appeal and may, in consultation with the superintendent, make one or more modifications to the plan based on the appeal if the commissioner makes any of the determinations in 603 CMR 2.05(5)(c)1 through 3. The commissioner's decision on the appeal shall be final.

(e) Within 30 days of the receipt of the last appeal made under M.G.L. c. 69, § 1J(f) and 603 CMR 2.05(5)(d), or, if no such appeal is received within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), at the expiration of those 30 days, the commissioner shall return the turnaround plan to the superintendent incorporating any modifications made under 603 CMR 2.05(5)(c) or (d), or both. Such return of the plan to the superintendent shall constitute the commissioner's approval, pursuant to M.G.L. c. 69, § 1J(b), of the plan returned.

(6) **Annual reviews of Level 4 underperforming schools** Superintendents shall use a format provided by the Department for the reviews to be submitted to the commissioner and school committee at least annually pursuant to M.G.L. c. 69, § 1J(k).

(7) **Receiver for an underperforming school in Level 4**

(a) If the superintendent appoints a receiver for a-an underperforming school in Level 4 pursuant to M.G.L. c. 69, s. 1J(h), the superintendent shall define the scope of the receiver's powers, up to and including all of the powers of the superintendent over the school, including all of the powers granted by M.G.L. c. 69, s. 1J. The superintendent may from time to time modify the scope of the receiver's powers based on conditions in the school. The receiver shall report directly to the superintendent.

(b) If the commissioner requires the superintendent to terminate the receiver for a-an underperforming school in Level 4 pursuant to M.G.L. c. 69, § 1J(k), the superintendent may, with the approval of the commissioner, select and appoint another receiver for the school in accordance with M.G.L. c. 69, § 1J(h) and 603 CMR 2.05(7)(a).

(8) **District improvement planning for Level 4 underperforming districts**

(a) The turnaround plan developed pursuant to 603 CMR 2.05(5) for any underperforming school in Level 4 shall include, among its provisions pursuant to 603 CMR 2.05(5)(a)(3) for the implementation of the conditions for school effectiveness standards and indicators, provisions for the improvement of district systems for school support and intervention in accordance with the condition for school effectiveness standards and indicators in published pursuant to 603 CMR 2.03(4)2.03(5)(a) and (b)(4).

(b) If a district has been placed in Level 4 designated as underperforming pursuant to 603 CMR 2.05(1)(b), the Department shall notify the Level 4 underperforming district that it is required to develop a Level 4 an Underperforming District Plan in order to correct the serious deficiencies identified in the district pursuant to 603 CMR 2.05(1)(b); if a district has been placed in Level 4

~~pursuant to 603 CMR 2.05(1)(a), the Department may notify it that it is required to develop a Level 4 District Plan in order to aid in turning around its Level 4 school or schools.~~

(c) Each Level 4 underperforming district notified by the Department pursuant to 603 CMR 2.05(8)(b) shall develop a Level 4 an Underperforming District Plan that includes goals and benchmarks appropriate to the reasons it has been required to develop a Level 4 an Underperforming District Plan, along with strategies, action steps, and a timetable for achieving those goals and benchmarks. The Level 4 Underperforming District Plan shall be prepared on a format provided by the Department.

(d) A Level 4 An underperforming district shall submit any required Level 4 Underperforming District Plan and any successor Level 4 Underperforming District Plan for approval by the Department. A district whose Level 4 Underperforming District Plan is approved by the Department shall receive priority for Department assistance. From year to year, continued priority for Department assistance shall be dependent on the district's success in achieving the goals and benchmarks in the approved Level 4 Underperforming District Plan or approved successor Level 4 Underperforming District Plan in accordance with the approved timetable.

(9) **Annual report to Board** The commissioner shall report annually to the Board on the progress made by districts and schools in Level 4 designated as underperforming.

(10) **Removal of school from Level 4 underperforming school designation**

(a) The commissioner shall define for each Level 4 underperforming school the academic and other progress that it must make for it to be removed from Level 4 underperforming status. Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by;
 - a. an increase in MCAS scores and an increase in median-student growth percentile;
 - ~~b.~~ a reduction in the proficiency gap;
 - ~~c.~~ (for a high school) a higher graduation rate; and
 - ~~d.~~ (for a high school) a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely; and
2. progress in implementing the conditions for school effectiveness standards and indicators described in published pursuant to 603 CMR 2.03(4)2.03(5)(a) and (b).

(b) The commissioner, in defining the required progress for each school, shall customize it to the particular reasons the school was placed in Level 4 designated as underperforming, defining it as any or all of the progress in 2.05(10)(a)1 and 2, or any other progress the commissioner determines appropriate.

(c) After consultation with the superintendent, the commissioner shall remove a school from Level 4 underperforming status when, at any time, the commissioner determines, based on evidence that may include evidence from a report from the accountability monitor appointed pursuant to 603 CMR 2.05(4)(b), a review by the superintendent submitted pursuant to M.G.L. c.

69, § 1J(k), a review conducted by the commissioner pursuant to M.G.L. c. 69, § 1J(l), or a district review or a follow-up review, that:

1. the school has achieved the academic and other progress defined by the commissioner under 603 CMR 2.05(10)(a) and (b) as necessary to allow it to be removed from [Level 4 underperforming status](#); and
2. the district has the capacity to continue making progress in improving school performance without the accountability and assistance provided due to the school's [placement in Level 4 designation as underperforming](#).

(d) At the expiration of the turnaround plan, in conducting a review of the school pursuant to M.G.L. c. 69, § 1J(l), the commissioner shall consider whether the conditions described in 603 CMR 2.05(10)(c)1 and 2 exist. If the commissioner determines that both of these conditions exist, he or she shall remove the school from [Level 4 underperforming status](#).

(e) Following his review, the ~~c~~Commissioner will make a determination as to whether the school has improved sufficiently to be removed from [Level 4 underperforming status](#); ~~remains in Level 4~~[maintains its underperforming designation](#); or is chronically underperforming. The ~~c~~Commissioner will make the determination in a reasonable period of time, and in any event within 2 months following the release of MCAS test results. The ~~c~~Commissioner may extend this period of time for good cause.

(f) Notwithstanding the foregoing requirements of 603 CMR 2.05~~4~~(10), the commissioner may remove from [Level 4 underperforming status](#) any school for which he or she approves a ~~proposal of closure~~[proposal by the district to close the school](#).

(11) Effect of removal of school from [Level 4 underperforming status](#); transitional period

(a) Upon the commissioner's removal of a school from [Level 4 underperforming status](#) pursuant to 603 CMR 2.05(10)(c) or (d), the provisions of M.G.L. c. 69, § 1J, for schools designated as underperforming shall no longer apply to it and the employment of any receiver for the school shall end.

(b) The district and school may continue their relationship with any external partner appointed to advise or assist the superintendent in the implementation of the turnaround plan and may continue to use the turnaround plan in order to continue to improve school performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1J(d), in contravention of any general or special law to the contrary shall be discontinued unless:

1. no more than one year before the removal of the school from [Level 4 underperforming status](#) the superintendent proposed to continue such feature of the turnaround plan for a transitional period after the school's removal from [Level 4 underperforming status](#), supporting this proposal with a written explication of the reasons this continuation is necessary and providing the school committee, the teachers' union or association, and the parent organization for the school with a copy of the proposal and supporting documents; and
2. before removing the school from [Level 4 underperforming status](#) the commissioner determined, after considering any opposition from the school committee, the teachers'

union or association, or the parent organization for the school, that such feature of the turnaround plan would contribute to the continued improvement of the school and should continue after the removal.

The superintendent may propose to continue and the commissioner may allow to continue more than one such feature of the turnaround plan.

(c) Upon making a determination pursuant to 603 CMR 2.05(11)(b)2 that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the school must make for each continuing feature of the plan to be discontinued.

(d) On determination by the commissioner at any time, based on evidence that may include evidence from a school or district review or a follow-up review, that the school has made the progress defined under 603 CMR 2.05(11)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued

1. such feature shall be discontinued; and
2. any powers granted to the commissioner or Board with respect to the school under M.G.L. c. 69, § 1J, that did not cease on removal of the school from ~~Level 4~~underperforming status shall cease.

(e) Two years after the removal of the school from ~~Level 4~~underperforming status, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the school to determine whether such continuing feature or features should remain in place or be discontinued.

(12) **Removal of ~~district from Level 4~~underperforming district designation**

~~(a) A district placed in Level 4 because one or more of its schools has been placed in Level 4 shall be removed from Level 4 when the district no longer has a school in Level 4, unless the district has a Level 4 District Plan and the commissioner has not yet made the determination described in 603 CMR 2.05(12)(b).~~

~~(b) A district with a Level 4an Underperforming District Plan shall be removed from Level 4underperforming status by the commissioner, unless it has a school or schools in Level 4, when the commissioner determines, based on evidence that may include evidence from a monitoring report or from a follow-up review, that~~

~~(a) the district has satisfactorily achieved the goals and benchmarks of its Level 4Underperforming District Plan; and~~

~~(b) the district has the capacity to continue making progress without the accountability and assistance provided by Level 4underperforming status.~~

2.06 Accountability and Assistance for Chronically Underperforming Districts and Schools in Level 5

(1) Placement of districts in Level 5Designating districts as chronically underperforming

(a) A district shall be eligible for ~~placement in Level 5~~designation as chronically underperforming if it is not a single-school district and it scores in the lowest 10% statewide of districts of the

same grade levels on a single measure developed by the Department that takes into account at least:

1. district MCAS ~~performance over a four-year period based on Composite Performance Index (CPI) in English language arts; CPI in mathematics; and percentages of students scoring in the "warning" or "failing" category on MCAS; achievement in English language arts, mathematics, and science;~~ and
2. ~~improvement in student academic achievement~~~~performance~~ student growth in English language arts and mathematics.

(b) The Board may ~~place an eligible district in Level 5~~designate an eligible district as chronically underperforming of the framework for district accountability and assistance, if the

commissioner so recommends, on the basis of one or more of the following:

1. a district review report;
2. a report from an accountability monitor appointed pursuant to 603 CMR 2.05(4)(b);
3. a follow-up review report;
4. quantitative indicators such as student attendance, dismissal, suspension, exclusion, promotion, graduation, and dropout rates, upon the determination of each indicator's reliability and validity, or lack of demonstrated significant improvement for two or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based on special education, ~~low-income~~economic disadvantage, English language proficiency, and racial classifications, or annual growth in MCAS performance for students in the district as compared with peers across the Commonwealth; or
5. the failure of ~~a Level 4~~an underperforming district to meet, in a timely manner, the benchmarks or goals in its current Level 4 Underperforming District Plan as approved by the Department pursuant to 603 CMR 2.05(8)(d).

(c) Not more than 2.5% of the total number of school districts may be ~~in Level 5~~designated as chronically underperforming at any given time.

(d) Before the commissioner recommends that an eligible district be ~~placed in Level 5~~designated as chronically underperforming, a district review team including at least one member with expertise in the academic achievement of students with limited English proficiency shall conduct a district review to assess and report on the reasons for the district's underperformance and the prospects for improvement, unless the commissioner determines that a new review is unnecessary because a district review conducted within the last year is adequate.

(e) Before ~~placing a district in Level 5~~designating a district as chronically underperforming, the Board shall consider the findings of the most recent district review, as well as multiple quantitative indicators of district quality such as those listed in 603 CMR 2.06(1)(b)4.

(f) School district and municipal officials, including the school committee, as well as the local teachers' union or association president or designee, a representative of the local parent organization, and members of the public, shall have an opportunity to be heard by the Board before final action by the Board to ~~place the district in Level 5~~designate the district as chronically underperforming.

(2) **Placement of schools in Level 5** ~~Designating schools as chronically underperforming~~

(a) The commissioner may ~~place-reclassify a Level 4~~an underperforming school in Level 5 as chronically underperforming at the expiration of its turnaround plan if the commissioner determines:

1. that the school has failed to improve as required by the goals, benchmarks, or timetable of the turnaround plan; or
2. that the school has failed to make significant improvement and that conditions in the district make it unlikely that the school will make significant improvement unless it is placed in Level 5 designated as chronically underperforming.

(b) Charter schools and Commonwealth of Massachusetts virtual schools shall not be eligible for designation as chronically underperforming schools. Charter schools shall also be held accountable under the provisions of M.G.L. c. 71, § 89, and 603 CMR 1.00. Commonwealth of Massachusetts virtual schools shall also be held accountable under the provisions of M.G.L. c. 71, § 94, and 603 CMR 52.00.

~~(b)(c)~~(c) School, school district, and municipal officials, including the school committee, as well as the local teachers' union or association president or designee, a representative of the school's parent organization, and family members of students at the school, shall have an opportunity to meet with the commissioner or his or her designee before the commissioner ~~places a school in Level 5~~designates a school as chronically underperforming.

(3) **Appointment and powers of receiver for a** ~~district in Level 5~~chronically underperforming district

(a) Following the ~~placement of a district in Level 5~~designation of a district as chronically underperforming under 603 CMR 2.06(1)(b), the commissioner, on behalf of the Board, shall appoint a receiver for the district pursuant to M.G.L. c. 69, § 1K(a).

(b) The receiver shall have the powers provided to the receiver by M.G.L. c. 69, § 1K, including all of the powers of the superintendent and school committee and full managerial and operational control over the district, provided that the district shall remain the employer of record for all other purposes, and provided further that the commissioner may define the scope of the receiver's powers up to those set forth in M.G.L. c. 69, § 1K, based on conditions in the district or its schools. The commissioner may from time to time modify the scope of the receiver's powers based on conditions in the district or its schools.

(4) **Replacement of receiver for a** ~~district in Level 5~~chronically underperforming district If the commissioner terminates the receiver for a ~~district in Level 5~~chronically underperforming district pursuant to M.G.L. c. 69, § 1K(h), the commissioner shall appoint another receiver for the district in accordance with M.G.L. c. 69, § 1K(a) and 603 CMR 2.06(3)(b).

(5) **Receiver for a** ~~school in Level 5~~chronically underperforming school

(a) A receiver appointed by the commissioner for a ~~school in Level 5~~chronically underperforming school pursuant to M.G.L. c. 69, s. 1J(r), shall have all of the powers that the superintendent previously had over the school and all of the powers granted to a receiver for a ~~Level~~

Chronically underperforming school by M.G.L. c. 69, s. 1J. The receiver shall report directly to the commissioner.

(b) If the commissioner terminates the receiver for a school in Level 5 chronically underperforming school pursuant to M.G.L. c. 69, § 1J(v), the commissioner may appoint another receiver for the school in accordance with M.G.L. c. 69, § 1J(r) and 603 CMR 2.06(5)(a).

(6) Turnaround plans for ~~Level 5 schools~~chronically underperforming schools The turnaround plan developed for each school placed in Level 5 chronically underperforming school shall

(a) be authorized, pursuant to M.G.L. c. 69, § 1J(t), for a period of up to three years, and remain in effect until the statutory process to develop any new, modified or renewed turnaround plan has been completed, or the school has been removed from Level 5 chronically underperforming status;

(b) fulfill the other requirements of M.G.L. c. 69, § 1J;

(c) provide for the implementation of the conditions for school effectiveness standards and indicators in published pursuant to 603 CMR 2.03(4)2.03(5)(a) and (b);

(d) include benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1J, and the conditions for school effectiveness standards and indicators, and a timetable for achieving those benchmarks;

(e) include descriptions of the assistance to be provided by the Department in support of the action steps in the plan, subject to the availability of resources for the Department to provide the assistance; and

(f) be prepared on a format developed by the Department.

(7) Turnaround plans for ~~Level 5~~chronically underperforming districts The turnaround plan developed for each district placed in Level 5 chronically underperforming district shall:

(a) focus, pursuant to M.G.L. c. 69, § 1K(b), on any Level 5 chronically underperforming school or schools in the district and, using the most recent district review report as a guide, on any district policies or practices that have contributed to the placement designation of the school or schools or district in Level 5 as chronically underperforming, including but not limited to district systems for school support and intervention;

(b) be authorized, pursuant to M.G.L. c. 69, § 1K(f), for a period of up to three years, and remain in effect until the statutory process to develop any new, modified or renewed turnaround plan has been completed, or the district has been removed from Level 5 chronically underperforming status;

(c) fulfill the other requirements of M.G.L. c. 69, § 1K;

(d) if the district has any Level 4 underperforming or Level 5 chronically underperforming schools, provide for the implementation in the district of the systems and processes described in 603 CMR 2.03(5) necessary to bring about the conditions for school effectiveness in 603 CMR 2.03(4)(b), including, pursuant to M.G.L. c. 69, § 1K, new turnaround plans for any Level 4 or 5 underperforming or chronically underperforming school for which the turnaround plans are deemed inadequate by the receiver.

- (e) include, for the district: benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1K, and a timetable for achieving those benchmarks;
- (f) describe the assistance to be provided by the Department in support of the action steps in the plan, subject to the availability of the resources for the Department to provide the assistance; and
- (g) be prepared on a format developed by the Department.

(8) Quarterly reports for ~~Level 5~~chronically underperforming schools and districts

- (a) Quarterly reports for ~~Level 5~~chronically underperforming schools, including the review by the commissioner to be submitted at least annually to the superintendent and the school committee, shall be submitted pursuant to M.G.L. c. 69, § 1J(u) and (v) on a format developed by the Department.
- (b) Quarterly reports for ~~Level 5~~chronically underperforming districts, including the evaluation by the commissioner to be submitted at least annually to the Board and the school committee, shall be submitted pursuant to M.G.L. c. 69, § 1K(g) and (h) on a format developed by the Department.

(9) Reports to the Board The commissioner shall report regularly to the Board on the progress made by each ~~chronically underperforming~~ district and school ~~in Level 5~~.

(10) Removal of ~~school from Level 5~~chronically underperforming school designation

- (a) The commissioner shall define for each ~~Level 5~~chronically underperforming school the academic and other progress that it must make for it to be removed from ~~Level 5~~chronically underperforming status. Such progress may include:
 1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by:
 - a. an increase in MCAS scores and an increase in ~~median~~ student growth percentile;
 - ~~b. a reduction in the proficiency gap;~~
 - ~~c. b.~~ (for a high school) a higher graduation rate; and
 - ~~d. c.~~ (for a high school) a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely; and
 2. progress in implementing the ~~conditions for school effectiveness standards and indicators described in~~ published pursuant to 603 CMR ~~2.03(4)~~2.03(5)(a) and (b).
- (b) The commissioner, in defining the required progress for each school, shall customize it to the particular reasons the school was ~~placed in Level 5~~designated as chronically underperforming, defining it as any or all of the progress in 603 CMR 2.06(10)(a)1 and 2, or any other progress the commissioner determines appropriate.
- (c) The commissioner shall remove a school from ~~Level 5~~chronically underperforming status when, at any time, the commissioner determines, based on evidence that may include a report

from the accountability monitor appointed pursuant to 603 CMR 2.05(4)(b), from the school's or district's receiver, if any, from a district review, or from a follow-up review, that:

1. the school has achieved the academic and other progress defined by the commissioner under 603 CMR 2.06(10)(a) and (b) as necessary to allow it to be removed from Level 5chronically underperforming status; and
2. the district has the capacity to continue making progress in improving school performance without the accountability and assistance provided due to the school's placement in Level 5chronically underperforming designation.

(d) The commissioner may remove a school from chronically underperforming status if the district in which the school resides is designated as chronically underperforming.

(d)-(e) At the expiration of the turnaround plan, in conducting a review of the school pursuant to M.G.L. c. 69, § 1J(w), the commissioner shall consider whether the conditions described in 603 CMR 2.06(10)(c)1 and 2 exist. If the commissioner determines that both of these conditions exist, he or she shall remove the school from Level 5chronically underperforming status.

(e)-(f) Following his review, the cCommissioner will make a determination as to whether the school has improved sufficiently to be removed from Level 5chronically underperforming status, or remains in Level 5maintains its designation as chronically underperforming. The cCommissioner will make the determination in a reasonable period of time, and in any event within 2 months following the release of MCAS test results. The cCommissioner may extend this period of time for good cause.

(11) Effect of removal of chronically underperforming school designationschool from Level 5; transitional period

(a) Upon the commissioner's removal of a school from Level 5chronically underperforming status, the provisions of M.G.L. c. 69, § 1J, for schools designated as chronically underperforming shall no longer apply to it and the employment of any receiver for the school shall end.

(b) The district and school may continue to use the turnaround plan in order to continue to improve school performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1J(o), in contravention of any general or special law to the contrary shall be discontinued unless the commissioner determined before removing the school from Level 5chronically underperforming status that such feature of the turnaround plan would contribute to the continued improvement of the school and should continue for a transitional period after the removal. The commissioner may allow more than one such feature of the turnaround plan to continue.

(c) Upon making a determination pursuant to 603 CMR 2.06(11)(b) that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the school must make for each continuing feature of the plan to be discontinued.

(d) On determination by the commissioner at any time, based on evidence that may include evidence from a school or district review or a follow-up review, that the school has made the progress defined under 603 CMR 2.06(11)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued

1. such feature shall be discontinued; and
2. any powers granted to the commissioner or Board with respect to the school under M.G.L. c. 69, § 1J, that did not cease on removal of the school from Level 5 chronically underperforming status shall cease.

(e) Two years after the removal of the school from Level 5 chronically underperforming status, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the school to determine whether such continuing feature or features should remain in place or be discontinued.

(12) Termination of receivership and removal of chronically underperforming district designation district from Level 5

(a) The commissioner shall define for each Level 5 chronically underperforming district the academic and other progress that it must make for it to be removed from Level 5 chronically underperforming status. Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by:
 - a. an increase in MCAS scores and an increase in ~~median~~ student growth percentile;
 - ~~b. a reduction in the proficiency gap;~~
 - ~~c. b.~~ a higher graduation rate; and
 - ~~d. c.~~ a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely;
2. the implementation of district systems and practices that meet district standards established under 603 CMR ~~2.03(4)~~ 2.03(5); and
3. progress in implementing in the district's schools the conditions for school effectiveness standards and indicators described in published pursuant to 603 CMR 2.03(4) 2.03(5)(a) and (b).

(b) The commissioner, in defining the required progress for the district, shall customize it to the particular reasons the district was placed in Level 5 designated as chronically underperforming, defining it as any or all of the progress in 603 CMR 2.06(12)(a)1 through 3, or any other progress the commissioner determines appropriate.

(c) The commissioner shall terminate the receivership and remove the district from Level 5 chronically underperforming status when, at any time, the commissioner determines, based on evidence that may include a report from the district's receiver or a follow-up review, that

1. the district has achieved the academic and other progress defined by the commissioner under 603 CMR 2.06(12)(a) and (b) as necessary to allow it to be removed from Level 5 chronically underperforming status; and
2. the district has the capacity to continue making progress without the accountability and assistance provided by Level 5 designation as a chronically underperforming district.

(d) At the expiration of the turnaround plan, in reevaluating the district's Level 5 chronically underperforming status pursuant to M.G.L. c. 69, § 1K(i), the commissioner shall consider whether the conditions described in 603 CMR 2.06(12)(c)1 and 2 exist. If the commissioner

determines that both of these conditions exist, he or she shall terminate the receivership and remove the district from [Level 5 chronically underperforming status](#).

(e) Following his review, the ~~C~~ommissioner will make a determination as to whether the district has improved sufficiently to be removed from [Level 5 chronically underperforming status](#), or ~~remains in Level 5~~[maintains its designation as chronically underperforming](#). The ~~C~~ommissioner will make the determination in a reasonable period of time, and in any event within 2 months following the release of MCAS test results. The ~~C~~ommissioner may extend this period of time for good cause.

**(13) Effect of removal of [chronically underperforming district designation](#) ~~district from Level 5~~;
transitional period**

(a) Upon the commissioner's removal of a district from [Level 5 chronically underperforming status](#), the provisions of M.G.L. c. 69, § 1K, for districts designated as chronically underperforming shall no longer apply to it and the employment of the receiver shall end.

(b) The district may continue to use the turnaround plan in order to continue to improve students' academic performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1K(d), in contravention of any general or special law to the contrary shall be discontinued unless the commissioner determined, before removing the district from [Level 5 chronically underperforming status](#), that such feature of the turnaround plan would contribute to the continued improvement of the district and should continue for a transitional period after the removal. The commissioner may allow more than one such feature of the turnaround plan to continue.

(c) Upon making a determination pursuant to 603 CMR 2.06(13)(b) that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the district must make for each continuing feature of the plan to be discontinued.

(d) On determination by the commissioner at any time, based on evidence that may include evidence from a district review, [a report from the district's receiver](#), or a follow-up review, that the district has made the progress defined under 603 CMR 2.06(13)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued:

1. such feature shall be discontinued; and
2. any powers granted to the commissioner or Board with respect to the district under M.G.L. c. 69, § 1K, that did not cease on removal of the district from [Level 5 chronically underperforming status](#) shall cease.

(e) Two years after the removal of the district from [Level 5 chronically underperforming status](#), if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the district to determine whether such continuing feature or features should remain in place or be discontinued.

(14) Petition by school committee of a [Level 5 chronically underperforming district](#)

(a) When the school committee of a [Level 5 chronically underperforming](#) district petitions the commissioner, pursuant to M.G.L. c. 69, § 1K (i), for either modification of the turnaround plan

or elimination of the turnaround plan and termination of the receivership, the commissioner shall decide the petition after considering the following:

1. written arguments and supporting documentation submitted with the petition by the school committee;
2. written arguments and supporting documentation submitted in response to the petition by the receiver; and
3. the report of any follow-up review conducted since the district was ~~placed in Level 5~~designated as chronically underperforming.

(b) If no follow-up review has been conducted within the last year before the commissioner's receipt of the petition and the commissioner determines that such a review would be useful in deciding on the petition, the commissioner may cause one to be conducted and delay the decision on the petition until 30 days after receiving the follow-up review report, provided that a decision on the petition shall be made within four months of the commissioner's receipt of the petition.

(c) Within 30 days of receiving the commissioner's decision, the school committee may appeal an adverse decision to the Board. The Board shall consider the evidence described in 603 CMR 2.06(14)(a)1 through 3 and may consider other evidence from the school committee, receiver, and commissioner. The decision of the Board shall be made within 60 days of receiving the appeal and shall be final.

(d) Neither the process before the commissioner nor the process before the Board shall be an adjudicatory hearing.

(e) No petition for the elimination of the turnaround plan and termination of the receivership shall be granted unless the commissioner or, in the case of an appeal, the Board determines

1. that the district has achieved the progress defined by the commissioner under 603 CMR 2.06(12)(a) as necessary to allow the district to be removed from ~~Level 5~~chronically underperforming status or that the district has achieved other, comparable or superior progress; and
2. that the district has the capacity to continue making progress without the accountability and assistance provided by ~~Level 5~~designation as chronically underperforming.

(f) Upon a decision by the commissioner or the Board granting a petition for the elimination of the turnaround plan and termination of the receivership, the receivership shall be terminated and the district removed from ~~Level 5~~chronically underperforming status.

2.07 Mathematics Content Assessments at ~~Level 4~~Underperforming and ~~Level 5~~Chronically Underperforming Schools

(1) **Requirement of taking a mathematics content assessment** The superintendent or the school's receiver, if any, may require all mathematics teachers at a ~~an Level 4~~underperforming school to take a mathematics content assessment approved by the Department. The commissioner or the school's receiver, if any, may require all mathematics teachers at a ~~Level 5~~chronically underperforming school to take a mathematics content assessment approved by the Department. A mathematics teacher shall be

required to take a mathematics content assessment pursuant to 603 CMR 2.07(1) no more than once a year.

(2) **Use of results** Individual results on a mathematics content assessment taken pursuant to 603 CMR 2.07(1) shall be used by the mathematics teacher and the school principal in developing or revising professional development plans, as provided in the Recertification Regulations, 603 CMR 44.04(4), and shall be considered by school and district administrators in turnaround planning in the school. These individual results are to be used for diagnostic and turnaround planning purposes only, and individual mathematics teachers' results shall not be considered public records.

(3) Exceptions

(a) A mathematics teacher who would otherwise be required to take a mathematics content assessment pursuant to 603 CMR 2.07(1) shall not be required to take it if the teacher:

1. has passed the Elementary Mathematics, Middle School Mathematics, or Mathematics test of the Massachusetts Tests for Educator Licensure or has passed or been deemed under 603 CMR 7.14(14)(g) to have passed the Mathematics subtest of the General Curriculum test of the Massachusetts Tests for Educator Licensure; and
2. is appropriately licensed for the mathematics the teacher is teaching.

(b) The superintendent or commissioner or the schools receiver, if any, may waive the mathematics content assessment requirement for an individual mathematics teacher based on a finding that the teacher has demonstrated mastery of mathematics or that special circumstances exist that make the assessment requirement inappropriate or immaterial.

DESE:
Board Meeting Minutes
from June 26,2018

**Minutes of the Regular Meeting
of the Massachusetts Board of Elementary and Secondary Education**

Tuesday, June 26, 2018

**Department of Elementary and Secondary Education
75 Pleasant Street, Malden, MA 02148**

Members of the Board of Elementary and Secondary Education Present:

Paul Sagan, Chair, Cambridge
Ed Doherty, Boston
Amanda Fernandez, Belmont
Margaret McKenna, Boston
Michael Moriarty, Holyoke
James Peyser, Secretary of Education
Mary Ann Stewart, Lexington
Hannah Trimarchi, Chair, Student Advisory Council, Marblehead
Martin West, Newton (participating remotely via video conference)

Jeffrey C. Riley, Commissioner of Elementary and Secondary Education

Members of the Board of Elementary and Secondary Education Absent:

James Morton, Vice-Chair, Boston
Katherine Craven, Brookline

Chair Sagan convened the meeting at 8:31 a.m. and members introduced themselves. Chair Sagan noted that Mr. West would be participating remotely and Ms. Craven and Vice-Chair Morton would be absent for this meeting. Chair Sagan said he would like to discuss the National Association of State Boards of Education (NASBE) membership at the end of the meeting.

Commissioner Riley noted this would be Ms. Trimarchi's last Board of Elementary and Secondary Education (Board) meeting and thanked her for her service. The Commissioner spoke about the recent State House event honoring the 2019 Massachusetts Teacher of the Year, Jamil Siddiqui, as well as the finalists and semi-finalists, the Milken Award winner, and the finalist for the Presidential Award for Excellence in Mathematics and Science Teaching. He said it was a great celebration of excellent teachers. Commissioner Riley thanked staff of the Department of Elementary and Secondary Education (Department) for putting together the extensive information for today's meeting and said he hopes to make meeting materials concise and informative. Commissioner Riley said in light of the resignation of the Boston Public Schools (BPS) Superintendent, he is designating himself as Receiver for the Dever School pending further discussions with BPS, and he is notifying BPS today. The Commissioner thanked the Department's Center for Instructional Support for organizing an excellent math conference at Worcester Polytech Institute, which he attended along with many Massachusetts educators.

Commissioner Riley announced the creation of an in-house award in memory of Commissioner Mitchell D. Chester, to be awarded to a staff member who has gone beyond expectations in service to public education. He asked Deputy Commissioner Jeff Wulfson to join him, and together they presented the first Mitchell D. Chester Award to Senior Associate Commissioner

Russell Johnston. Chair Sagan said this is a well-deserved honor and a meaningful way to remember Commissioner Chester.

Statements from the Public

1. **Debra Fowler**, LGBTQ history Content Advisor for the new MA History and Social Science Curriculum Framework, addressed the Board on the Updated History and Social Science Curriculum Framework.
2. **Cedric Woods**, member of the History and Social Science Review Panel and Director, UMass Boston Institute for New England Native American Studies, addressed the Board on the Updated History and Social Science Curriculum Framework.
3. **Gary McCann**, Policy Consultant, Muhheconneuk Intertribal Committee on Deer Island, addressed the Board on the Updated History and Social Science Curriculum Framework.
4. **Phyllis Hardy**, Multi-State Association for Bilingual Education (MABE), addressed the Board on English Learner Programs under the LOOK Act: Amendments to Regulations 603 CMR 4.00, 7.00, 14.00, 31.00, 44.00.
5. **Nicole Sherf**, MA Foreign Language Association (MaFLA), addressed the Board on English Learner Programs under the LOOK Act: Amendments to Regulations 603 CMR 4.00, 7.00, 14.00, 31.00, 44.00.
6. **Helen Solorzano**, MATSOL–MA Educators of English Language Learners, addressed the Board on English Learner Programs under the LOOK Act: Amendments to Regulations 603 CMR 4.00, 7.00, 14.00, 31.00, 44.00.
7. **Kevin Farr**, Executive Director of the Massachusetts Association of Vocational Administrators (MAVA), addressed the Board on English Learner Programs under the LOOK Act: Amendments to Regulations 603 CMR 4.00, 7.00, 14.00, 31.00, 44.00.

Ms. Trimarchi introduced Ms. Maya Mathews, incoming student representative on the Board for SY2018-19 from Newton North High School. Chair Sagan invited Ms. Mathews to join the members at the Board table for the remainder of the meeting.

8. **Gerry Mroz** addressed the Board on the School and District Accountability and Assistance System.
9. **Calvin J. McFadden, Sr.**, Ph.D., Executive Director, Martin Luther King, Jr. Charter School of Excellence, addressed the Board on Charter Schools – Report and Recommendation on Probation for Martin Luther King, Jr. Charter School of Excellence.
10. **Christine Harmon**, (introduced herself as Christine Ryan) addressed the Board on claims of misuse of the educator license waiver process by a superintendent.

Commissioner Riley acknowledged that the Department is currently reviewing the use of waivers in the district that Ms. Harmon spoke about and expects to complete the review within the next few weeks. Chair Sagan requested that once the review is complete, the Commissioner should send the report to all Board members. Commissioner Riley said he would do so.

Approval of Minutes

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education approves the minutes of the May 22, 2018 Regular Meeting and the May 14, 2018 Special Meeting.

The vote was unanimous.

Level 5 Schools: End-of-Year FY2018 Reports and Presentation on Parker School, New Bedford

Senior Associate Commissioner Russell Johnston introduced Nora Priest, Andy Beck, and Fran Roy, representatives from School & Main Institute (SMI), which will become the receiver of the Parker School in New Bedford on July 1, 2018. Mr. Beck discussed SMI's history supporting schools in Massachusetts and working with the Department. Ms. Priest said they are aiming to strengthen and better coordinate the Parker's partnerships and community supports, including after school and during the summer. Mr. Beck said the Parker has the capacity to improve its performance, and the school staff is ready to take it to the next level.

Mr. Moriarty encouraged SMI to assess students' progress in the summer programs. He noted that the school made progress on chronic absenteeism and should continue doing so, and that early literacy and preparation for grade 3 English Language Arts need further attention.

Mr. Johnston noted that the Board has received the end-of-year reports on each Level 5 school. He said future reports would provide more information on outcomes, per the Board's request.

Updated History and Social Science Curriculum Framework

Roberta Schaefer, member of History and Social Science Review Panel and former member of the Board of Elementary and Secondary Education, addressed the Board on the Updated History and Social Science Curriculum Framework.

Commissioner Riley thanked the review panel and Department staff for two years of work on updating the framework. He introduced Senior Associate Commissioner Heather Peske, who said the revision process built on the solid foundation in the previous framework. She introduced Michelle Ryan, History and Social Science Content Support Lead, David Buchanan, Consultant, and Susan Whelple, Consultant. Mr. Buchanan discussed changes to the framework since the Board last discussed it in May. The changes include: revision of U.S. History II relative to issues related to race since the 1960s; inclusion of the names of State Student Advisory Council members who helped review and advise on the framework, at Ms. Trimarchi's suggestion; and, in the grade 8 civics section, inclusion of the Mendez case as well as Brown v. Board of Education, at the suggestion of Ms. Fernandez. Chair Sagan thanked the staff for being responsive to Board members' comments, including Vice-Chair Morton's suggestions on the first revision.

Ms. Wheltle noted the US History II, Standard 36 revision, which includes ^{an} addition to an existing ^{standard} to improve content in the high school grades on Native Americans, and additions to primary sources and other resources in the appendices and the supplement to the framework. She acknowledged the help of Roberta Schaefer throughout the process. Ms. Ryan reviewed how the Department would support districts' implementation, including the Civics Education Institute planned for July. Ms. Stewart asked about materials for families. Ms. Peske said the Department is working on that, and the focus now is on providing resources to meet the needs of the field.

Secretary Peyser said this is a significant vote following a well-done process, and the final product improves and updates an already strong framework. The Secretary said the creation of the eighth grade civics course is a major positive shift. He thanked all who were involved in the review process and said as schools implement the updated framework, the next vital step is to determine an assessment strategy. Ms. McKenna commended the Department for listening to feedback and adjusting the draft in response to it, modeling continuous improvement. She added that teachers and schools would need resources. Mr. Moriarty asked about the civics bills that the legislature is discussing. Secretary Peyser said the bills are in conference committee and neither bill contains anything contrary to the proposed framework.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Elementary and Secondary Education, in accordance with Chapter 69, Sections 1D and 1E of the General Laws, approve the 2018 History and Social Science Standards, and direct the Commissioner to incorporate the standards into the 2018 Massachusetts History and Social Science Curriculum Framework and distribute copies to the Joint Committee on Education for their information, and to public schools and other interested parties throughout the Commonwealth for use in improving curriculum, instruction, and assessment in history and social science.**

Further, that the Board extend its appreciation to the Department of Elementary and Secondary Education and to the many individuals and groups statewide that helped to revise and strengthen the History and Social Science Standards.

The vote, by roll call, was unanimous.

English Learner Programs under the LOOK (Language Opportunity for Our Kids) Act: Amendments to Regulations 603 CMR 4.00, 7.00, 14.00, 31.00, 44.00

Before the presentation began, Mr. Moriarty stated that while he generally supports these regulations, he has a concern about the State Seal of Biliteracy. He said he would like to make a motion to vote separately on those regulations, if possible. Chair Sagan said when the Board gets to that point, Mr. Moriarty could propose a separate motion or not, depending on how the discussion goes.

Ms. Peske introduced Paul Aguiar, Director of the Office of Language Acquisition, Marnie Jain, Supervisor of Accountability and Monitoring for College, Career, and Technical Education, and Arabela Thomas, Associate General Counsel. Ms. Peske described the regulatory process, which was catalyzed by enactment of the Language Opportunity for Our Kids Act in November 2017. Since then, working with the field, the Department drafted the regulations, which the Board voted to release in March for public comment. Ms. Peske said the Department has reviewed all the public comment and made changes, resulting in the final set of regulations for the Board's consideration today. Ms. Peske provided an overview of the regulations and discussed the public outreach process and the meetings and webinars the Department hosted.

Ms. Jain reviewed the regulation on the Sheltered English Immersion endorsement for career-vocational-technical educators and revisions that were made as a result of the public comment. Mr. Aguiar reviewed other aspects of the regulations and explained revisions to the bilingual education endorsement and State Seal of Biliteracy regulations, based on comments received on the draft regulations. Mr. Aguiar said the Department will issue guidance to assist districts in implementing the regulations.

Commissioner Riley explained this regulatory process was on an expedited timeline because of the timing of the legislation. He said he would like to put out the regulations, see how they work over the next year or so, and then tweak them as needed, based on data and experience. Secretary Peyser said the Department did a good job balancing the comments received, maintaining high standards, and keeping faith with the statute and its intent. He said the regulations are a good start and the Department should review their implementation and then determine if they need adjustment.

Mr. Moriarty said he supports parts 1, 2, 3, and 5 in the proposed motion and moved to separate out part 4, regarding the standard for the State Seal of Biliteracy, because he believes the standard should be higher. The motion to separate out item 4 was made and seconded.

Chair Sagan suggested the Board vote on all the items because the Commissioner has indicated he would review them after a year. Ms. McKenna said while she has concerns about a few aspects of the regulations, she believes we should move forward to encourage new program options. She said more teacher training programs are needed. She also suggested studying whether the RETELL initiative has made a difference. Ms. Fernandez said the new law provides an opportunity to set a vision. Secretary Peyser said the LOOK Act does not prohibit Sheltered English Immersion; it creates additional program options, all of which must meet the Castaneda standards. He said the law should help promote student achievement.

On a motion duly made and seconded, it was:

MOVED: that the Board of Elementary and Secondary Education divide the proposed motion into two parts, and vote separately on parts 1-2-3-5, and on part 4, the State Seal of Biliteracy regulations.

On a roll-call vote, the motion failed, 1-8. Mr. Moriarty voted in favor.

Mr. Moriarty said he supports the concept of the State Seal of Biliteracy and wants it to reflect genuinely high levels of proficiency to make it a valuable credential. Commissioner Riley said the question is about the appropriate metric to use now, and it can be adjusted in the future if necessary.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education, in accordance with G.L. c. 69 § 1B; c. 71, § 38G; c. 71A, as amended by the Language Opportunity for Our Kids (LOOK) Act, Chapter 138 of the Acts of 2017; and G.L. c. 74, and having solicited public comment in accordance with the Administrative Procedure Act, G.L. c. 30A, § 3, hereby adopts the amendments to the following regulations, as presented by the Commissioner:

- amendments to the Regulations on Vocational Technical Education, 603 CMR 4.00. The amendments are intended to improve the instruction of English learners in career vocational technical programs through updated standards for career vocational technical educators.
- amendments to the Regulations on Educator Licensure and Preparation Program Approval, 603 CMR 7.00. The amendments are intended to implement the LOOK Act and improve the instruction of English learners through updated standards for educators in English learner education programs.
- amendments to the Regulations on Education of English Learners, 603 CMR 14.00. The amendments are intended to implement the LOOK Act and improve the instruction of English learners through updated standards for English learner education in publicly funded elementary and secondary programs.
- amendments to the Regulations on the Massachusetts Certificate of Mastery, 603 CMR 31.00. The amendments are intended to implement the provisions of the LOOK Act relating to the new State Seal of Biliteracy.
- amendments to the Regulations on Educator License Renewal, 603 CMR 44.00. The amendments are intended to update standards for professional development and educator license renewal relating to bilingual education.

The vote, by roll call, was 8-1, with Mr. Moriarty voting in opposition.

Chair Sagan thanked Mr. Moriarty for his thoughtful comments. Mr. Moriarty suggested getting feedback from the business/employment community on the State Seal of Biliteracy as we go forward.

School and District Accountability and Assistance System, including Amendments to Regulations, 603 CMR 2.00

Chair Sagan said the Board has discussed the accountability system and regulations at several meetings and needs to make a decision today. He introduced Russell Johnston, Senior Associate Commissioner, Rob Curtin, Associate Commissioner, and Ventura Rodriguez, Associate Commissioner. Mr. Curtin provided a brief overview of the timeline and process, and thanked the team at the Department for all their work and the Board for their careful consideration of the issues. He summarized the changes to the regulations since the last meeting, such as including a formal public comment period for any changes made to the accountability system, adding details about the accountability system, and clarifying the Commissioner's authority in relation to modifying a turnaround plan. Mr. Curtin said that at the Board's request, the Department has drafted a one-page summary of the accountability system. Chair Sagan suggested simplifying the one-pager, with less material and more links. Mr. Moriarty suggested an explainer video.

Mr. Doherty said he would vote against the proposed system because he believes the current test-based accountability system does more harm than good and the new system is not much different. He advocated a pause and reset, with more state funding to address early education, class size, summer school, and after-school needs. Mr. Doherty said poverty is a major factor in student test scores and schools alone cannot solve the problem. He added that the American Federation of Teachers-Massachusetts and the Massachusetts Teachers Association would like to work with the Commissioner to set a different course for the future.

Ms. Stewart said she agrees with Mr. Doherty and believes the proposed system does not move the state forward. Ms. Fernandez said while she is not sure the accountability system helps to close achievement gaps, she appreciates the work that the Department is doing to try to create a fairer way to assess schools. Secretary Peyser said he is strongly in favor of the proposal, which includes a broader set of factors and indicators and includes English acquisition, a significant focus on the bottom 25 percent of students, and more individualized targets for schools and districts. He said the accountability system is an important tool in addressing inequalities; it is not to blame for achievement gaps but rather provides information to promote responsibility for school improvement.

Ms. McKenna acknowledged that the current accountability system points out gaps in achievement but said she worries that it has resulted in teachers focusing too much on test prep. She said the new system seems to be an improvement and wondered if the Board should give the new commissioner six months to study the matter. Chair Sagan said it is important for the Board to vote on this today; while Commissioner Riley can bring recommendations in the future to improve the system, right now he is asking the Board to approve it.

Commissioner Riley said he is asking the Board to endorse the accountability regulations and system today because we want better outcomes for students. He said test scores are part of the solution, but not the entire solution. The Commissioner said he is going to look at how this works and, together with the Board, figure out next steps. He said this is an essential start to the process.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education, in accordance with Mass. General Laws c. 69, §§ 1A, 1B, 1I, 1J, and 1K, and having solicited public comment in accordance with the Administrative Procedure Act, G.L. c. 30A, § 3, hereby adopts the amendments to the Regulations on Accountability and Assistance for School Districts and Schools (603 CMR 2.00), as presented by the Commissioner.

VOTED: that the Board of Elementary and Secondary Education, in accordance with Mass. General Laws c. 69, §§ 1A, 1B, 1I, 1J, and 1K, hereby adopts the framework for district and school accountability recommended by the Commissioner as described in the June 2018 Summary of the Next Generation District and School Accountability System.

The vote, by roll call, was 7-2, with Mr. Doherty and Ms. Stewart voting in opposition.

Computer Science: Expanding Access to Computer Science and Recommended Amendment to MassCore

Heather Peske, Senior Associate Commissioner, introduced Ken Klau, Director of Instructional Policy, and Anne DeMallie, DLCS Content Support Lead, to discuss the recommendations on increasing access to computer science. Ms. Peske explained this follows up on the joint board meeting in January 2018 with the Board of Higher Education (BHE) and said Department staff have been collaborating on it with the Department of Higher Education (DHE). Mr. Klau said the charge from the January joint meeting was for the Department and DHE to form a working group to develop a specific proposal around expanding access to computer science. He noted the report that members received, based on data from school year 2016-2017 on course-taking patterns, course availability, participation, performance, and alignment to standards.

Mr. Klau reviewed the five-year trend in the percent of students completing MassCore by region and said more students are completing MassCore now than five years ago, but suburban and rural regions have higher rates of completion than urban regions. He noted that computer science courses are more prevalent in the suburbs, and that overall, a higher proportion of white and Asian students took computer science courses than other groups. Mr. Klau said most computer science courses in 2016-2017 aligned with only a small portion of the state's digital literacy and computer science standards, noting that the Board adopted the standards only last year. Ms. DeMallie said schools may not have updated their courses yet, and high school courses generally focus on a specific skill or program.

Mr. Klau reviewed the differences in high school computer science course enrollment by race and ethnicity. Mr. Moriarty speculated that if guidance counselors see lower results in middle school math, they might steer students away from a computer science course. Ms. Peske noted that the Department is working on a Middle Grades Math Initiative.

Chair Sagan said the numbers in computer science are not high for any group. Miss Trimarchi

said the fact that computer science would not count as a math or science course at her high school kept her from taking it. Secretary Peyser said that is exactly why the Board is taking action on this today. He commended the Department's work with DHE on the issue and said it will promote computer science as a foundational skill as well as a technical skill.

Ms. McKenna asked if there is a shortage of teachers able to teach computer science. Ms. Peske said it is a concern and the Department is working with DHE and educator prep institutions. Ms. Fernandez asked how nonprofits and other outside groups fit into the landscape of computer science courses. Ms. DeMallie said outside courses were not included in the analysis, just as the Department would not include math camps in a report about math courses in school. In response to a question from Secretary Peyser, Ms. DeMallie said Advanced Placement (AP) computer science courses would count toward MassCore.

On a motion duly made and seconded, it was voted:

WHEREAS: the Board of Elementary and Secondary Education recognizes that computer science is an important addition to the academic program. It forms the basis for a significant and growing component of the Commonwealth's knowledge-based economy in the twenty-first century. Knowledge and skills in computer science are foundational for students interested in pursuing a wide variety of careers in science, technology, engineering, mathematics, and beyond. Further, the Board also recognizes that many high school students do not yet have access to high quality computer science course offerings.

Therefore, it is

VOTED: (1) that the Board of Elementary and Secondary Education, in collaboration with the Board of Higher Education, commits to leading a state-wide effort to significantly expand computer science course offerings at the high school level, with the ultimate goal of providing all Massachusetts public high school students with access and opportunity; and further

(2) that the Board of Elementary and Secondary Education, in accordance with Chapter 69, Sections 1B and 1D of the General Laws, hereby amends MassCore, the Recommended High School Core Program of Studies for College- and Career-Readiness, to allow a computer science course that includes rigorous mathematical or scientific concepts and aligns with the Board's Digital Literacy and Computer Science (DLCS) curriculum standards, to substitute for either a laboratory science course or a mathematics course; and further

(3) that the Commissioner is directed to collaborate with the Commissioner of Higher Education to identify the criteria necessary for computer science courses to be included as substitutions for MassCore mathematics and laboratory science courses. Said criteria shall be developed in consultation with disciplinary experts in the higher education community to ensure

sufficient course rigor, course quality, and student preparedness for college-level course taking, and shall be aligned with parallel efforts to develop Math Pathways from pre-kindergarten through four years of postsecondary education (P-16 Math Pathways). The identification of said criteria and courses shall be completed by December 31, 2018, to facilitate implementation starting in the 2019-20 school year; and further

(4) that the Commissioner is directed to identify strategic opportunities for increasing the capacity of all educators to teach computer science concepts, as well as increasing as the supply of licensed computer science teachers; and further

(5) that the Commissioner shall periodically report to the Board on the progress of this initiative.

The vote, by roll call, was unanimous.

Charter Schools – Report and Recommendation on Probation for Martin Luther King, Jr. Charter School of Excellence

Cliff Chuang, Senior Associate Commissioner, accompanied by Alison Bagg, Director of the Office of Charter Schools and School Redesign, gave the Board a brief overview of the report and recommendation.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education, in accordance with General Laws chapter 71, section 89, and 603 CMR 1.12(1) and (2), hereby removes Martin Luther King, Jr. Charter School of Excellence from probation and extends a condition currently imposed on the school's charter, as recommended by the Commissioner. Failure to meet this condition may result in revocation of the charter or imposition of additional conditions. The condition is as follows:

Martin Luther King, Jr. Charter School of Excellence must demonstrate that it is an academic success by December 31, 2019, by demonstrating significant and sustained academic improvement in English language arts and by maintaining sustained academic success in mathematics.

In addition to meeting this condition, Martin Luther King, Jr. Charter School of Excellence, like all charter schools, must also comply with the terms of its charter. The Commissioner shall review and report to the Board on success or lack of success of Martin Luther King, Jr. Charter School of Excellence in meeting the condition imposed on its charter and, based on his

review, shall recommend or shall take such further action as he deems appropriate.

The vote, by roll call, was unanimous.

Charter Schools – Vote to Waive Regulation Requiring a Week’s Notice for Enrollment Lotteries

Mr. Chuang, accompanied by Ms. Bagg, said this technical issue affects two charter schools that had to change their enrollment lottery date due to major storms in March; the schools were unable to provide a full week’s notice to the public about the rescheduled date and have requested a waiver of that regulation. Chair Sagan explained that these requests come up every year when we have a lot of snow. Mr. Chuang said if we revise the regulations, we could address this issue so we do not have to grant waivers in these circumstances. Ms. Stewart commented that climate change is affecting the number of snow days for schools.

On a motion duly made and seconded, it was:

VOTED: that the Board of Elementary and Secondary Education waive, in accordance with 603 CMR 1.03(2), the requirement in the charter school regulations at 603 CMR 1.05(9) that “lotteries for charter school seats shall be conducted in a public place with a neutral party drawing names and with reasonable public notice given at least one week prior to the lottery” for the lotteries conducted in March 2018 by Christa McAuliffe Charter Public School and by Prospect Hill Academy Charter School.

The vote, by roll call, was unanimous.

At 12:00 noon, Chair Sagan called for a five-minute break. The Chair reconvened the meeting at 12:05 p.m.

Update on FY2019 State Education Budget

Commissioner Riley said he is reviewing the budget closely and considering the needs of the education community and possible strategies going forward. Bill Bell, Senior Associate Commissioner/CFO, updated the Board on FY18 budget matters. He said the Department has finalized the second round of hurricane relief distribution and has applied for federal funding for the natural disaster relief program. Mr. Bell said for FY19, the legislature has sent a \$5 billion interim spending bill to the Governor because the final state budget has not been enacted yet. He said the Department’s biggest concern relates to funding for assessment and for implementation of the new history and social science framework. Commissioner Riley said there is a \$4 million shortfall in the assessment line item right now. Secretary Peyser said additional funding for curriculum and assessment will be essential.

Delegation of Authority to Commissioner to take Necessary Action between Board Meetings

Chair Sagan noted that this is the usual summer delegation of authority and if something significant comes up, the Commissioner would report to him and he would convene a Board meeting if necessary.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Elementary and Secondary Education authorize the Commissioner, in accordance with General Laws c. 15, § 1F, paragraph 3, to act on behalf of the Board in approving any matters that are not otherwise covered by the Board's previous delegations of authority and that require Board action between June 26, 2018 and the next regular meeting of the Board in September 2018, provided that the Commissioner shall consult with the Chair in advance of any such action and shall report to the Board on any matters that have been so approved.**

The vote, by roll call, was unanimous.

Schedule for Regular Board Meetings through June 2019

Chair Sagan reminded the members that they reviewed the proposed dates at last month's meeting.

On a motion duly made and seconded, it was:

VOTED: **that the Board of Elementary and Secondary Education approves the schedule of regular meetings through June 2019, as presented by the Commissioner.**

The vote, by roll call, was unanimous.

Chair Sagan said the Board's membership in the National Association of State Boards of Education (NASBE) costs approximately \$32,000, and about half the states are members. He said he is conscious of the budget and asked Board members for their views. Ms. Stewart said she believes the Board should continue with NASBE because of the support the organization provides. Chair Sagan said he plans to contact NASBE's new executive director to find out more about the services NASBE could provide.

Chair Sagan noted that the Board did not conduct a formal evaluation of Commissioner Riley because he started the job just a few months ago. He said he has asked the Commissioner to write up his goals for the next year, to help shape his evaluation in FY2019. Chair Sagan said he expects to appoint members to the Commissioner's Performance Evaluation Committee in the fall.

On a motion duly made and seconded, it was:

**VOTED: that the Board of Elementary and Secondary Education adjourn the meeting
 at 12:20 p.m., subject to the call of the Chair.**

The vote, by roll call, was unanimous.

Respectfully submitted,
Jeffrey C. Riley
Commissioner of Elementary and Secondary Education
and Secretary to the Board

DESE:
Summary of changes to
603 CMR 2.00 - 2018

Massachusetts' new school and district accountability system

What is an accountability system?

An accountability system measures school and district performance. It helps schools improve the performance of all students, and helps communities and the state decide how to allocate resources. Accountability results answer two questions: *How is the school doing?* and *What kind of support does the school need?*

Indicators that provide more information about school performance and student opportunity:

- ✓ Achievement
- ✓ Student progress or growth
- ✓ High school completion
- ✓ Progress towards English proficiency for English learners
- ✓ Chronic absenteeism
- ✓ Advanced coursework completion

Information on each school's performance against improvement targets and how it is doing compared to other schools

Accountability categories that describe how the school is doing and what kind of support it may receive from the state

- ✓ Schools requiring broad support due to consistent or chronic underperformance
- ✓ Schools requiring focused support due to low overall or subgroup performance, low graduation rates, or low assessment participation
- ✓ Schools without required assistance or intervention

An increased focus on raising the performance of each school's lowest performing students

MASSACHUSETTS
DEPARTMENT OF
EDUCATION

What else should I know?

- ★ Detailed performance data will be reported for all districts, schools, and subgroups.
- ★ Accountability results will be used to recognize schools that are demonstrating success in addition to identifying schools in need of support.
- ★ Massachusetts is committed to monitoring the system's effectiveness in providing clear and actionable information to districts, schools, and the public.

DESE:
Proposed changes to
603 CMR 2.00 (final draft) –
2018

**PROPOSED AMENDMENTS TO REGULATIONS ACCOUNTABILITY AND ASSISTANCE FOR SCHOOL
DISTRICTS AND SCHOOLS 603 CMR 2.00**

- * Presented to the Board of Elementary and Secondary Education for initial review and vote to solicit public comment: **March 27, 2018**
- * Period of public comment: **through Friday, May 18, 2018**
- * Final action by the Board of Elementary and Secondary Education anticipated: **June 26, 2018**

The proposed amendments will align the regulations with ESE's approved framework for district and school accountability and assistance, which meets the federal requirements outlined in Every Student Succeeds Act; update the measures used to make accountability determinations to reflect changes to the statewide assessment system; and clarify in the regulations the Board's role in reviewing and approving potential changes to the framework for district and school accountability and assistance.

Proposed amendments are indicated by underline (new language) or ~~strikethrough~~ (deleted language), and proposed amendments made in response to public comment are indicated by *italics*. For the complete text of the current regulations, 603 CMR 2.00, see <http://www.doe.mass.edu/lawsregs/603cmr2.html>

603 CMR 2.00: Accountability and Assistance for School Districts and Schools

Section:

- 2.01: Authority, Scope, and Purpose
- 2.02: Definitions
- 2.03: Accountability and Assistance for All Districts and Schools ~~in All Levels~~
- 2.04: ~~Accountability and Assistance for Districts and Schools~~ Self-Assessments for Districts and Schools Requiring Assistance or Intervention ~~Not Designated as Underperforming or Chronically Underperforming in Levels 1 through 3~~
- 2.05: Accountability and Assistance for Underperforming Districts and Schools ~~in Level 4~~
- 2.06: Accountability and Assistance for Chronically Underperforming Districts and Schools ~~in Level 5~~
- 2.07: Mathematics Content Assessments at ~~Level 4~~ Underperforming and ~~Level 5~~ Chronically Underperforming Schools

Adopted by the Board of Education: June 16, 1997

Most Recently Amended by the Board of Education: April 18, 2017

2.01: Authority, Scope and Purpose

(1) 603 CMR 2.00 is promulgated pursuant to the authority of the Board of Elementary and Secondary Education under M.G.L. c. 69, §§ 1B, 1J, and 1K, and c. 71, § 38G.

(2) 603 CMR 2.00 governs the review of the educational programs and services provided by the Commonwealth's public schools and the assistance to be provided by districts and the Department to improve them; it identifies the circumstances under which a school may be declared underperforming ~~(placed in Level 4)~~ and those under which a school or school district may be declared chronically underperforming ~~(placed in Level 5)~~, resulting in accountability and assistance in accordance with M.G.L. c. 15, §55A and c. 69, §§ 1J and 1K.

(3) The purpose of 603 CMR 2.00 is to hold districts and schools accountable for educating their students well and to assist them in improving the education they provide.

2.02: Definitions

Accountability percentile shall mean the measure used to report each school's relative standing compared to other schools statewide. The accountability percentile shall be calculated by ranking data from all available accountability indicators for each school and combining them into a single, final percentile value, from 1 to 99.

Annual Performance Determination shall mean annual district, grade level, school, or student subgroup achievement and improvement, as determined by the Department relative to indicators including which may include, but need not be limited to, achievement and improvement in English language arts, and mathematics, and science, student growth in English language arts and mathematics, high school completion, and English language proficiency, chronic absenteeism, and high school advanced coursework completion, in accordance with the federal Elementary and Secondary Education Act (ESEA).

~~**Behavioral health and public schools framework** shall mean the framework developed by the Task Force on Behavioral Health and Public Schools pursuant to St. 2008, c. 321, § 19, to "promote collaboration between schools and behavioral health services and promote supportive school environments where children with behavioral health needs can form relationships with adults and peers, regulate their emotions and behaviors, and achieve academic and nonacademic school success and reduce truancy and the numbers of children dropping out of school."~~

Benchmark assessment shall mean an assessment that is given at regular and specified intervals throughout the school year, is designed to evaluate students' knowledge and skills relative to a specific set of academic standards, and produces results that can be aggregated (e.g., by course, grade level, school, or district) in order to inform teachers and administrators at the student, classroom, school, and district levels.

Board shall mean the Board of Elementary and Secondary Education, appointed in accordance with M.G.L. c. 15, § 1E.

Charter School ~~A~~*shall mean a* public school operated under a charter granted by the Board pursuant to M.G.L. c. 71, § 89 and 603 CMR 1.00.

Chronically underperforming district shall mean the designation given to a district by the Board of Elementary and Secondary Education in accordance with M.G.L. c. 69, § 1K.

Chronically underperforming school shall mean the designation given to an underperforming school by the commissioner in accordance with M.G.L. c. 69, § 1J (I).

Commissioner shall mean the commissioner of elementary and secondary education, appointed in accordance with M.G.L. c. 15, § 1F, or his or her designee.

Commonwealth of Massachusetts Virtual School shall mean a public school operated under a certificate granted by the commissioner pursuant to M.G.L. c. 71, § 94 and 603 CMR 52.00.

~~**Composite Performance Index or CPI** shall mean a 100-point index that assigns 100, 75, 50, 25, or 0 points to each student participating in MCAS and MCAS-Alt tests based on their performance. The total points assigned to each student are added together and the sum is divided by the total number of students assessed. The result is a number between 0 and 100, which constitutes a district, school or group's CPI for that subject and student group. The CPI is a measure of the extent to which students are progressing toward proficiency (a CPI of 100) in English Language Arts (ELA), mathematics, and science. CPIs are generated separately for ELA, mathematics, and science, and at all levels—state, district, school, and student group.~~

~~**Conditions for school effectiveness** shall mean certain necessary conditions for schools to educate their students well. These conditions are integrated into the district indicators.~~

Core subjects shall mean the subjects specified in M.G.L. c. 69, § 1D (science, technology, and mathematics, history and social science, English, foreign languages and the arts) and subjects covered in courses that are part of an approved vocational-technical education program under M.G.L. c. 74.

Criterion-referenced measure shall mean the measure used to report a district's, school's, or subgroup's performance against targets, set by the Department, for each accountability indicator. At the district and school level, the criterion-referenced measure shall combine the results from all students in the district or school and the results from the lowest performing students in the district or school.

Department shall mean the Department of Elementary and Secondary Education acting through the commissioner or his or her designee.

District or school district shall mean a municipal school department or regional school district, acting through its school committee or superintendent of schools, or a county agricultural school, acting through its board of trustees or superintendent/director. For the purposes of 603 CMR 2.00 it shall not mean a charter school or a Commonwealth of Massachusetts virtual school. ~~; charter schools are subject to accountability provisions set forth in M.G.L. c. 71, § 89, 603 CMR 1.00, and federal law.~~

District Analysis and Review Tool or DART shall mean an electronic interface, using graphics and showing trends, of a sampling of relevant data kept by the Department or submitted to the Department by districts over time in areas including but not limited to district and school demographics, access, performance, educator licensure and turnover, student support, and educational resources.

District Improvement Plan shall mean the comprehensive, three-year improvement plan each district is required to develop under M.G.L. c. 69, § 11.

District indicators shall mean the detailed performance indicators associated with the district standards and developed by the Department.

District review shall mean a school district audit conducted by the Department under M.G.L. c. 15, § 55A, in accordance with a process and protocol established by the commissioner on behalf of the Board pursuant to M.G.L. c. 69, § 1B, and based on published district standards and indicators.

District review report shall mean the report of a district review by a district review team, as required by M. G.L. c. 15, § 55A.

District review team shall mean a group of individuals appointed by the Department, pursuant to M.G.L. c. 15, § 55A, to conduct a district review.

District standards shall mean the standards developed and published by the Department pursuant to listed in 603 CMR 2.03(4)2.03(5)(6)(a) and (b) that are the basis for district reviews, ~~improvement planning, and other forms of accountability and assistance.~~

ESEA shall mean the Elementary and Secondary Education Act, 20 U.S.C. 6301 et seq., reauthorized in 2001 as the No Child Left Behind Act. 2015 as the Every Student Succeeds Act.

Follow-up review shall mean a review conducted following a district review to gather further information, to be used for such purposes as determining whether a Level 4an underperforming district should be placed in Level 5reclassified as chronically underperforming or whether a school or district should be removed from Level 4 or Level 5.underperforming or chronically underperforming status.

Follow-up review report shall mean the report of a follow-up review.

Formative assessment shall mean assessment questions, tools, and processes that are embedded in instruction and are used by teachers and students to provide timely feedback for purposes of adjusting instruction to improve learning.

Framework for district accountability and assistance shall mean the ~~five-level~~ system for district and school accountability and assistance ~~approved by~~ developed by the Department in consultation with the Board's advisory council on school and district accountability and assistance, approved by the Board, and implemented by the Department pursuant to 603 CMR 2.03(1).

~~Level 4 District Plan~~ shall mean a plan for improvement that a district placed in Level 4 is required to develop and implement pursuant to 603 CMR 2.05(8)(b), (c), and (d). In the case of a district in Level 4 that was declared underperforming by the Board before April 27, 2010, Level 4 District Plan shall mean the current version of the turnaround plan the district adopted as a result of having been so declared. A Level 4 District Plan may serve as the district's District Improvement Plan.

~~Levels 1-5~~ shall mean the levels in the Department's framework for district accountability and assistance, required by 603 CMR 2.03(1), in which schools and districts in the Commonwealth are placed. See definitions in 603 CMR 2.02 for placing a district in Level 5, placing a school in Level 4, and placing a school in Level 5.

Lowest performing students shall mean the group of students who, when considering achievement on the English language arts and mathematics MCAS assessments, are among the lowest performing students in the district or school.

Mathematics content assessment: A diagnostic assessment of mathematics content knowledge approved by the Department that mathematics teachers at ~~a Level 4 or Level 5~~ an underperforming or chronically underperforming school may be required to take, at no cost to the district or the teacher for the assessment instrument or its scoring.

Mathematics teacher: Shall mean any educator who teaches mathematics in a Massachusetts public school.

MCAS shall mean the Massachusetts Comprehensive Assessment System, provided for in M.G.L. c. 69, § 1I.

Performance shall mean results or outcomes across multiple measures, including, but not limited to, achievement and student growth.

~~Placing a district in Level 5~~ shall mean declaring that district to be chronically underperforming in accordance with M.G.L. c. 69, § 1K. Level 5 is the last of the five levels in the Department's framework for district accountability and assistance.

~~Placing a school in Level 4 shall mean designating that school as underperforming in accordance with M.G.L. c. 69, § 1J. Level 4 is the fourth of the five levels in the Department's framework for district accountability and assistance.~~

~~Placing a school in Level 5 shall mean designating that school as chronically underperforming in accordance with M.G.L. c. 69, § 1J. Level 5 is the last of the five levels in the Department's framework for district accountability and assistance.~~

Receiver shall:

- (a) for a district, mean a non-profit entity or an individual with a demonstrated record of success in improving low-performing schools or districts or the academic performance of disadvantaged students, appointed by the commissioner on behalf of the Board for a district placed in Level 5 designated as chronically underperforming, pursuant to M.G.L. c. 69, § 1K(a), and 603 CMR 2.06(3); and
- (b) for a school, mean a non-profit entity or an individual with a demonstrated record of success in improving low-performing schools or the academic performance of disadvantaged students, appointed for a school in Level 4 designated as underperforming by the superintendent pursuant to M.G.L. c. 69, § 1J(h) and 603 CMR 2.05(7) and for a school in Level 5 designated as chronically underperforming by the commissioner pursuant to M.G.L. c. 69, § 1J(r), (v), or (w) and 603 CMR 2.06(5).

School shall mean a single public school, ~~consisting of one or more school buildings,~~ which operates under the direct administration of a principal, director, or school leader appointed by the school district or board of trustees responsible for its governance. ~~For the purposes of 603 CMR 2.00 it shall not mean a charter school; charter schools are subject to accountability provisions set forth in M.G.L. c. 71, § 89, 603 CMR 1.00, and federal law.~~

School Improvement Plan shall mean the plan for improved student performance each school is required to develop annually under M.G.L. c. 69, § 1I.

~~**School review** shall mean a school audit conducted by the Department under M.G.L. c. 15, § 55A, in accordance with a process and protocol established by the commissioner on behalf of the Board pursuant to M.G.L. c. 69, § 1B.~~

Student growth percentile or SGP shall mean a measure of how much a student's performance achievement has improved from one year to the next ~~relative to other students statewide with a similar MCAS test score history.~~

Subgroup shall mean one of the groups of students for which the Department issues annual performance determinations, including but not limited to students with disabilities, ~~students with limited English proficiency~~ English learners, economically disadvantaged students, and students belonging to major racial and ethnic groups.

Subgroup percentile shall mean the measure used to report each subgroup's relative standing compared to like subgroups statewide. The subgroup percentile shall be calculated by ranking data from all available accountability indicators for each subgroup and combining them into a single, final percentile value, from 1 to 99.

~~Tiered instruction shall mean a data-driven prevention, early detection, and support system that guides the allocation of school and district resources with the aim of providing high quality core educational experiences for all students and targeted interventions to struggling students who experience learning or behavioral challenges.~~

Turnaround plan shall mean the plan to improve student achievement in a Level 4 or Level 5 an underperforming or chronically underperforming school or a Level 5 a chronically underperforming district that may serve as the School Improvement Plan or District Improvement Plan.

Underperforming district shall mean the designation given to a district by the Board of Elementary and Secondary Education in accordance with 603 CMR 2.05(1).

Underperforming District Plan shall mean a plan for improvement ~~that a district that is~~ designated as underperforming is required to develop and implement pursuant to 603 CMR 2.05(8)(b), (c), and (d).

Underperforming school shall mean the designation given to a school by the commissioner in accordance with M.G.L. c. 69, § 1J.

~~**Virtual School** A public school operated under a certificate granted by the Board pursuant to M.G.L. c. 71, § 94 and 603 CMR 52.00.~~

2.03: Accountability and Assistance for All Districts and Schools in All Levels

(1) **Framework for district and school accountability and assistance** The Department shall implement a ~~five-level~~ system for district and school accountability and assistance, approved by the Board and known as the framework for district and school accountability and assistance, for the purpose of improving student achievement performance. Both the priority for assistance and the degree of intervention shall increase from Level 1 to Level 5, as the severity and duration of ~~identified problems~~ low performance increase. Under the framework, districts shall hold their schools accountable for educating their students

well and assist them in doing so; the Department shall hold districts accountable for both of these functions and assist them in fulfilling them.

(2) Reported measures *Each year, the Department will report:*

(a) An accountability percentile, representing each school's overall relative standing compared to other schools in the state;

(b) A criterion-referenced measure of performance against targets, set by the Department, for each accountability indicator, for:

- 1. Each district or school as a whole, by using data from all students in the district or school and data from the lowest performing students in each district or school; and*
- 2. Each subgroup for which there is sufficient data;*

(c) A subgroup percentile, representing each subgroup's relative standing compared to like subgroups in other schools statewide;

(d) For each district, school, and subgroup that meets the minimum group size requirement for reporting:

- 1. Assessment participation rates; and*
- 2. Whether the district, school, or subgroup met the participation rate requirements established by the Department;*

(e) Information related to each school's need for required assistance or intervention; and

(f) Information related to schools that demonstrate exemplary performance, as determined by the commissioner.

(3) Annual performance determinations *Each year, the Department will issue annual performance determinations for all public districts and schools, using the framework developed by the Department and approved by the Board.*

(a) Annual performance determinations for districts include:

- 1. Districts in need of required assistance or intervention, for districts that:*
 - a. Are in need of broad or comprehensive support, if designated underperforming according to 603 CMR 2.05(1) or designated chronically underperforming according to 603 CMR 2.06(1);*
 - b. Are in need of focused or targeted support due to:*
 - b.i. Low graduation rates, as defined by the federal Every Student Succeeds Act; or*
 - b.ii. Low assessment participation rates, as defined by framework for district and school accountability and assistance.*
- 2. Districts not requiring assistance or intervention, for districts that do not meet any of the criteria in 603 CMR 2.03(3)(a)(1). Annual performance determinations for districts not requiring assistance or intervention will be reported as the degree to which each district has met targets, based on the criterion-referenced measure in 603 CMR 2.03(2)(b)(1).*

(b) Annual performance determinations for schools include:

- 1. Schools in need of required assistance or intervention, for schools that:*

- a. Are in need of broad or comprehensive support, if designated underperforming according to 603 CMR 2.05(2) or designated chronically underperforming according to 603 CMR 2.06(2);
- b. Are in need of focused or targeted support due to:
 - b.i. Their placement among the lowest performing 10 percent of schools statewide, based on the accountability percentile described in 603 CMR 2.03(2)(a);
 - b.ii. The presence of one or more low performing subgroups, using the relative measure described in 603 CMR 2.03(2)(c);
 - b.iii. Low graduation rates, as defined by the federal Every Student Succeeds Act; or
 - b.iv. Low assessment participation rates, as defined by the framework for district and school accountability and assistance.
2. Schools not requiring assistance or intervention, for schools that do not meet any of the criteria in 603 CMR 2.03(3)(b)(1). Annual performance determinations for schools not requiring assistance or intervention will be reported as the degree to which each school has met targets, based on the criterion-referenced measure in 603 CMR 2.03(2)(b)(1).

(2) Reported measures Each year, the Department will report:

- (a) A measure of each school's relative standing compared to other schools;
- (b) A measure of each district and school's performance against targets for each accountability indicator, as set by the Department;
- (c) For each district, school, and student group that meets the minimum group size requirement for reporting:
 3. Assessment participation rates; and
 4. Whether the district, school, or student group met the participation rate requirements established by the Department;
- (d) Information related to each school's need for targeted support or intervention; and
- (e) Information related to schools that demonstrate exemplary performance, as determined by the commissioner.

(2)(3)(4) **District reviews** The Department may conduct a district review, encompassing the district and its schools, of any district. in Levels 1-5.

(3)(4)(5) **District Analysis and Review Tool** The Department shall provide the District Analysis and Review Tool to every district, including multiple data elements, giving schools the capability of comparing themselves with similar schools or other schools of their choice, and giving districts the capability of comparing themselves with similar districts or other districts of their choice.

(4)(5)(6) **District standards and indicators**

- (a) District reviews, improvement planning, and other forms of accountability and assistance shall be based on standards of effective policy and practice in:

1. Leadership and governance;
2. Curriculum and instruction;
3. Assessment;
4. Human resources and professional development;
5. Student support; and
6. Financial and asset management.

(b) The Department shall publish a detailed version of the standards and associated indicators, which shall be informed by research-based practices identified as characteristic of schools that have experienced rapid improvements in student outcomes, as well as associated indicators which shall include the following conditions for school effectiveness:

1. ~~Effective district systems for school support and intervention: The district has systems and processes for anticipating and addressing school staffing, instructional, and operational needs in timely, efficient, and effective ways, especially for its lowest performing schools.~~
2. ~~Effective school leadership: The district and school take action to attract, develop, and retain an effective school leadership team that obtains staff commitment to improving student learning and implements a clearly defined mission and set of goals.~~
3. ~~Aligned curriculum: The school's taught curricula are aligned to state curriculum frameworks and the MCAS performance level descriptions, and are also aligned vertically between grades and horizontally across classrooms at the same grade level and across sections of the same course.~~
4. ~~Effective instruction: Instructional practices are based on evidence from a body of high-quality research and on high expectations for all students and include use of appropriate research-based reading and mathematics programs; the school staff has a common understanding of high-quality evidence-based instruction and a system for monitoring instructional practice.~~
5. ~~Student assessment: The school uses a balanced system of formative and benchmark assessments.~~
6. ~~Principal's staffing authority: The principal has the authority to make staffing decisions based on the School Improvement Plan and student needs, subject to district personnel policies, budgetary restrictions and the approval of the superintendent.~~
7. ~~Professional development and structures for collaboration: Professional development for school staff includes both individually pursued activities and school-based, job-embedded approaches, such as instructional coaching. It also includes content-oriented learning. The school has structures for regular, frequent collaboration to improve implementation of the curriculum and instructional practice. Professional development and structures for collaboration are evaluated for their effect on raising student achievement.~~
8. ~~Tiered instruction and adequate learning time: The school schedule is designed to provide adequate learning time for all students in core subjects. For students not yet on track to proficiency in English language arts or mathematics, the school provides~~

additional time and support for individualized instruction through tiered instruction, a data-driven approach to prevention, early detection, and support for students who experience learning or behavioral challenges, including but not limited to students with disabilities and English language learners.

9. ~~Students' social, emotional, and health needs: The school creates a safe school environment and makes effective use of a system for addressing the social, emotional, and health needs of its students that reflects the behavioral health and public schools framework.~~
10. ~~Family school engagement: The school develops strong working relationships with families and appropriate community partners and providers in order to support students' academic progress and social and emotional well-being.~~
11. ~~Strategic use of resources and adequate budget authority: The principal makes effective and strategic use of district and school resources and has sufficient budget authority to do so.~~

~~(5)(6)(7)~~ **District improvement planning** Every district shall develop and implement an annual self-evaluation and district improvement planning process. ~~using the district standards and indicators established under 603 CMR 2.03(4).~~

(a) The district's self-evaluation and planning process shall result, every three years, in a comprehensive written three-year District Improvement Plan to improve the performance of the district and its schools.

(b) Each year, every school shall adopt school performance goals and develop and implement a written School Improvement Plan to advance those goals and improve student performance. The School Improvement Plan shall be aligned with the District Improvement Plan.

(c) A district's District Improvement Plan and School Improvement Plans shall be based on an analysis of data, including but not limited to data on student performance and the District Analysis and Review Tool provided by the Department under 603 CMR 2.03~~(3)(4)(5)~~, and an assessment of actions the district and its schools must take to improve that performance.

(d) District Improvement Plans and School Improvement Plans shall, in form and content, conform to requirements set forth in M.G.L. c. 69, § 1I.

~~(6)(7)(8)~~ **Assistance from the Department**

(a) The Department shall make available a variety of ~~such~~ forms of assistance, such as examples, tools, templates, protocols, and surveys to assist districts and schools in assessing themselves and improving student performance.

(b) The Department shall also make available to districts, to the extent funding allows, professional development opportunities and assistance from Department staff members, Department contractors, or third party partners. Priority for receiving professional development or assistance, as well as the degree of intervention by the Department, shall ~~increase from Level 1 to Level 5~~ be based on the annual performance determination by the Department of the district or one or more of its schools.

~~(8)(9) Annual Report to Board~~ The Department shall report annually to the Board on district and school accountability results.

~~(9)(10) Notice and Consultation~~ *The Department shall solicit public comment on proposed changes to the framework for district and school accountability and assistance, including changes to the indicators or the weighting of indicators in the framework. The commissioner will provide notice of proposed changes to the accountability system, including changes to the indicators or the weighting of indicators in the accountability system, and submit the proposed changes to the Board for approval. After considering the public comment, the commissioner will forward a recommendation for any proposed changes to the Board for approval.*

2.04: Accountability and Assistance for Districts and Schools in Levels 1-3~~Not Designated as Underperforming or Chronically Underperforming~~**Self-Assessments for Districts and Schools Requiring Assistance or Intervention**

~~(1) Placement of schools and districts in Levels 1 and 2~~ **Annual performance determination** ~~Districts and schools will be assigned an annual performance determination in accordance with the district and school accountability system developed by the Department and approved by the Board. This annual determination shall be based on include:~~

~~(a) For schools, a normative measure of school performance that provides information regarding each school's relative standing compared to other schools statewide; and~~

~~(b) For districts and schools, a criterion referenced component that based on provides information regarding the progress that each district or school is making toward targets established by the Department for each accountability indicator.~~

(a) A school shall be placed in Level 1 or 2 of the framework for district accountability and assistance based on the performance of students in the aggregate and subgroups, according to the Department's annual performance determination. The Department shall publish guidance for schools as to what performance leads to placement in what level.

(b) A school shall move from one level to another within Levels 1 and 2 by virtue of change in the performance of students in the aggregate and subgroups, according to the Department's annual performance determination, and in accordance with guidance published by the Department pursuant to 603 CMR 2.04(1)(a).

(c) Districts shall be placed in Levels 1 and 2 in accordance with the levels of their schools, and shall move from one level to another within Levels 1 and 2 by virtue of change in their schools' levels pursuant to 603 CMR 2.04(1)(b). The Department shall publish guidance for districts as to what performance leads to placement in what level.

~~(2) Placement of schools and districts in Level 3~~ A school shall be placed in Level 3 of the framework for district accountability and assistance if any one of its subgroups scores among the lowest performing subgroups in the state. The Department may place a school in Level 3 if it scores in the lowest 20% statewide of schools serving common grade levels pursuant to 603 CMR 2.05(2)(a). The Department shall

publish guidance describing the specific methodology used to identify Level 3 schools, as well as guidance for districts as to what performance leads to placement in what level.

~~(3) (2) (1)~~ **Self-assessment by districts in Level 3 with schools in need of targeted support or intervention requiring assistance or intervention** A district in Level with one or more schools ~~identified as in need of support or intervention requiring assistance or intervention according to 603 CMR 2.03(3)(b)~~ shall use a process approved by the Department to complete a self-assessment, ~~shall use the self-assessment to identify unmet conditions for school effectiveness (see 603 CMR 2.03(4)(b))~~, and shall address the ~~unmet conditions~~ needs identified by the self-assessment by revising its District Improvement Plan and School Improvement Plans.

(2) Self-assessment by districts requiring assistance or intervention A district identified as requiring assistance or intervention according to 603 CMR 2.03(3)(a) shall use a process approved by the Department to complete a self-assessment and shall address the needs identified by the self-assessment by revising its District Improvement Plan and, if needed, its School Improvement Plans.

~~(4) Limitation of certain provisions~~ In 2017, the provisions of 603 CMR 2.04 (1) — (3) will not apply to any school that enrolls students in grades 3-8, provided that the school has a participation rate of at least 90 percent in the administration of the spring 2017 MCAS tests and does not have a persistently low graduation rate.

2.05: Accountability and Assistance for Underperforming Districts and Schools in Level 4

(1) Placement of districts in Level 4 Designating districts as underperforming

~~(a)~~ A district shall be placed in Level 4 if any of its schools has been placed in Level 4, pursuant to 603 CMR 2.05 (2).

~~(b)~~ The Board may ~~place a district in Level 4~~ designate a district as underperforming upon recommendation of the commissioner based on findings from a district review, monitoring report, or follow-up review showing serious deficiencies, relating to one or more district standards, that are likely if they are not addressed effectively and in a timely manner to have a substantial negative effect on student performance in the district, putting the district at risk of being ~~placed in Level 5~~ designated as chronically underperforming.

~~(c)~~ A district may be placed in Level 4 pursuant to both 603 CMR 2.05(1)(a) and 603 CMR 2.05(1)

~~(b).~~

~~(d)~~ A district declared underperforming by a vote of the Board prior to April 27, 2010, shall remain in Level 4 until the commissioner makes the determination described in 603 CMR 2.05(12)(b) and it has no schools in Level 4, unless the Board has voted to remove the district from underperforming status.

(2) **Placement of schools in Level 4**~~Designating schools as underperforming~~

(a) A school shall be eligible for ~~placement in Level 4~~designation as underperforming if it scores in the lowest 20% statewide of schools serving common grade levels on a single measure developed by the Department that takes into account at least:

1. school MCAS ~~performance over a four year period based on Composite Performance Index (CPI)~~achievement in English language arts, mathematics, and science; ~~CPI in mathematics; and percentages of students scoring in the "warning" or "failing" category on MCAS; and~~
2. ~~improvement student growth in student academic performance in~~ English language arts and mathematics.

(b) The commissioner may ~~place a school in Level 4~~designate a school as underperforming on the basis of quantitative data including but not limited to:

1. school MCAS ~~performance over a four year period based on Composite Performance Index (CPI)~~achievement in English language arts, mathematics, and science; ~~CPI in mathematics; and percentages of students scoring in the "warning" or "failing" category on MCAS;~~
2. ~~improvement change~~ in school MCAS ~~performance achievement as represented by change in CPI (for years available, up to four);~~
3. annual student growth in-on MCAS ~~performance~~ for students at the school as compared with peers across the Commonwealth ~~(for years available, up to four);~~
4. in the case of high schools, graduation and dropout rates; or
5. other indicators of school performance including student attendance, dismissal, suspension, exclusion, and promotion rates upon the determination of each indicator's reliability and validity, or lack of demonstrated significant improvement for two or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based on special education, ~~low-income~~economically disadvantaged, English ~~language proficiency~~learner status, and racial classifications; or on the basis of information from a school or district review performed under M.G.L. c.15, § 55A.

(c) -Charter schools and Commonwealth of Massachusetts virtual schools shall not be eligible for designation as underperforming schools. Charter schools shall also be held accountable under the provisions of M.G.L. c. 71, § 89, and 603 CMR 1.00. Commonwealth of Massachusetts virtual schools shall also be held accountable under the provisions of M.G.L. c. 71, § 94, and 603 CMR 52.00.

~~(e)(d)~~ Not more than 4% of the total number of public schools may be ~~in Levels 4 and 5~~designated as underperforming or chronically underperforming, taken together, at any given time.

~~(d) Any school designated by the Board as chronically underperforming prior to 2010 may be placed in Level 4.~~

(3) **Notification** The Department shall notify districts ~~of the placement of any of their schools in Level 4 in~~ which any school is designated as underperforming. The notification shall be made to the school

committee, superintendent, and local teachers' union or association president, and the principal and the parent organization of any school ~~placed in Level 4~~designated as underperforming.

(4) **Appointment of assistance and accountability personnel** Upon ~~placement of a district in Level 4~~designating a district as underperforming, the Department may make any or all of the following appointments:

(a) an assistance ~~liaison~~lead:

1. to support the district in developing and carrying out a turnaround plan for each of its Level 4 underperforming schools, if any; and
2. to support the district in district improvement planning pursuant to 603 CMR 2.05(8), if required;

(b) an accountability monitor to determine and report on:

1. whether the goals, benchmarks, and timetable in the turnaround plan for each of the district's Level 4 underperforming schools, if any, are being met; and
2. if the district has ~~a Level 4~~an Underperforming District Plan pursuant to 603 CMR 2.08(c), whether its goals, benchmarks, and timetable are being met; and

(c) an individual or team to conduct monitoring site visits to the district or its schools.

(5) **Turnaround plans for Level 4 underperforming schools**

(a) The turnaround plan developed for each school ~~placed in Level 4~~designated as underperforming shall:

1. be authorized, pursuant to M.G.L. c. 69, s. § 1J(j), for a period of up to three years, and remain in effect until the statutory process to develop any new, modified, or renewed turnaround plan has been completed, or the school has been removed from ~~Level 4~~underperforming status;
2. fulfill the other requirements of M.G.L. c. 69, § 1J;
3. provide for the implementation of ~~the conditions for school effectiveness~~the standards and indicators ~~in published pursuant to 603 CMR 2.03(4)2.03(5)(6)(a) and (b);~~
4. include benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1J, and ~~the conditions for school effectiveness~~the standards and indicators, and a timetable for achieving those benchmarks;
5. include descriptions of the assistance to be provided by the Department in support of the action steps in the plan, as agreed on by the Department and the superintendent, subject to the availability of resources for the Department to provide the assistance; and
6. be prepared on a format provided by the Department.

(b) Once the superintendent has received the recommendations of the local stakeholder group under M.G.L. c. 69, § 1J(b), the superintendent may request that the school committee and any union bargain or reopen the bargaining of the relevant collective bargaining agreement, pursuant to M.G.L. c. 69, § 1J(g). If necessary, the 30 days provided by M.G.L. c. 69, § 1J(e) for the superintendent to submit a turnaround plan for modifications to the local stakeholder group, school committee, and commissioner shall be extended, without exceeding the time periods mandated by M.G.L. c. 69, § 1J(g), to provide time for bargaining, ratification, a dispute

resolution process, the submission of a decision by the joint resolution committee, or a resolution by the commissioner, pursuant to M.G.L. c. 69, § 1J(g).

(c) Within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), the commissioner shall review the plan and may, in consultation with the superintendent, ~~modify~~ propose modifications to the plan if the commissioner determines that

1. such modifications would further promote the rapid academic achievement of students in the school;
2. a component of the plan was included, or a modification under M.G.L. c. 69, § 1J(e) was excluded, on the basis of demonstrably false information or evidence; or
3. the superintendent failed to meet the requirements of M.G.L. c. 69, § 1J(b) to (e), inclusive.

(d) Within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), the school committee or local union may appeal to the commissioner one or more components of the plan pursuant to M.G.L. c. 69, § 1J(f). Within 30 days of the receipt of such appeal, the commissioner shall decide the appeal and may, in consultation with the superintendent, make one or more modifications to the plan based on the appeal if the commissioner makes any of the determinations in 603 CMR 2.05(5)(c)1 through 3. The commissioner's decision on the appeal shall be final.

(e) Within 30 days of the receipt of the last appeal made under M.G.L. c. 69, § 1J(f) and 603 CMR 2.05(5)(d), or, if no such appeal is received within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), at the expiration of those 30 days, the commissioner shall return the turnaround plan to the superintendent incorporating any modifications made under 603 CMR 2.05(5)(c) or (d), or both. Such return of the plan to the superintendent shall constitute the commissioner's approval, pursuant to M.G.L. c. 69, § 1J(b), of the plan returned.

(6) **Annual reviews of Level 4 underperforming schools** Superintendents shall use a format provided by the Department for the reviews to be submitted to the commissioner and school committee at least annually pursuant to M.G.L. c. 69, § 1J(k).

(7) **Receiver for an underperforming school ~~in Level 4~~**

(a) If the superintendent appoints a receiver for ~~a~~ an underperforming school ~~in Level 4~~ pursuant to M.G.L. c. 69, s. 1J(h), the superintendent shall define the scope of the receiver's powers, up to and including all of the powers of the superintendent over the school, including all of the powers granted by M.G.L. c. 69, s. 1J. The superintendent may from time to time modify the scope of the receiver's powers based on conditions in the school. The receiver shall report directly to the superintendent.

(b) If the commissioner requires the superintendent to terminate the receiver for ~~a~~ an underperforming school ~~in Level 4~~ pursuant to M.G.L. c. 69, § 1J(k), the superintendent may, with the approval of the commissioner, select and appoint another receiver for the school in accordance with M.G.L. c. 69, § 1J(h) and 603 CMR 2.05(7)(a).

(8) District improvement planning for Level 4 underperforming districts

(a) The turnaround plan developed pursuant to 603 CMR 2.05(5) for any underperforming school ~~in Level 4~~ shall include, among its provisions pursuant to 603 CMR 2.05(5)(a)(3) for the implementation of the ~~conditions for school effectiveness standards and indicators~~, provisions for the improvement of district systems for school support and intervention in accordance with the ~~condition for school effectiveness standards and indicators in published pursuant to 603 CMR 2.03(4) 2.03(5)(6)(a) and (b)(1)~~.

(b) If a district has been ~~placed in Level 4~~ designated as underperforming pursuant to 603 CMR 2.05(1)(b), the Department shall notify the Level 4 underperforming district that it is required to develop a Level 4 an Underperforming District Plan in order to correct the serious deficiencies identified in the district pursuant to 603 CMR 2.05(1)(b); ~~if a district has been placed in Level 4 pursuant to 603 CMR 2.05(1)(a), the Department may notify it that it is required to develop a Level 4 District Plan in order to aid in turning around its Level 4 school or schools.~~

(c) Each Level 4 underperforming district notified by the Department pursuant to 603 CMR 2.05(8)(b) shall develop a Level 4 an Underperforming District Plan that includes goals and benchmarks appropriate to the reasons it has been required to develop a Level 4 an Underperforming District Plan, along with strategies, action steps, and a timetable for achieving those goals and benchmarks. The Level 4 Underperforming District Plan shall be prepared on a format provided by the Department.

(d) A Level 4 An underperforming district shall submit any required Level 4 Underperforming District Plan and any successor Level 4 Underperforming District Plan for approval by the Department. A district whose Level 4 Underperforming District Plan is approved by the Department shall receive priority for Department assistance. From year to year, continued priority for Department assistance shall be dependent on the district's success in achieving the goals and benchmarks in the approved Level 4 Underperforming District Plan or approved successor Level 4 Underperforming District Plan in accordance with the approved timetable.

(9) Annual report to Board The commissioner shall report annually to the Board on the progress made by districts and schools ~~in Level 4~~ designated as underperforming.

(10) Removal of ~~school from Level 4~~ underperforming school designation

(a) The commissioner shall define for each Level 4 underperforming school the academic and other progress that it must make for it to be removed from Level 4 underperforming status. Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by;
 - a. an increase in MCAS scores and an increase in ~~median~~ student growth-percentile;
 - b. a reduction in the proficiency gap;
 - c. (for a high school) a higher graduation rate; and
 - d. (for a high school) a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely; and

2. progress in implementing the conditions for school effectiveness standards and indicators described in published pursuant to 603 CMR 2.03(4)2.03(5)(6)(a) and (b).
- (b) The commissioner, in defining the required progress for each school, shall customize it to the particular reasons the school was placed in Level 4 designated as underperforming, defining it as any or all of the progress in 2.05(10)(a)1 and 2, or any other progress the commissioner determines appropriate.
- (c) After consultation with the superintendent, the commissioner shall remove a school from Level 4 underperforming status when, at any time, the commissioner determines, based on evidence that may include evidence from a report from the accountability monitor appointed pursuant to 603 CMR 2.05(4)(b), a review by the superintendent submitted pursuant to M.G.L. c. 69, § 1J(k), a review conducted by the commissioner pursuant to M.G.L. c. 69, § 1J(l), or a district review or a follow-up review, that:
1. the school has achieved the academic and other progress defined by the commissioner under 603 CMR 2.05(10)(a) and (b) as necessary to allow it to be removed from Level 4 underperforming status; and
 2. the district has the capacity to continue making progress in improving school performance without the accountability and assistance provided due to the school's placement in Level 4 designation as underperforming.
- (d) At the expiration of the turnaround plan, in conducting a review of the school pursuant to M.G.L. c. 69, § 1J(l), the commissioner shall consider whether the conditions described in 603 CMR 2.05(10)(c)1 and 2 exist. If the commissioner determines that both of these conditions exist, he or she shall remove the school from Level 4 underperforming status.
- (e) Following his review, the cCommissioner will make a determination as to whether the school has improved sufficiently to be removed from Level 4 underperforming status; remains in Level 4 maintains its underperforming designation; or is chronically underperforming. The cCommissioner will make the determination in a reasonable period of time, and in any event within 2 months following the release of MCAS test results. The cCommissioner may extend this period of time for good cause.
- (f) Notwithstanding the foregoing requirements of 603 CMR 2.054(10), the commissioner may remove from Level 4 underperforming status any school for which he or she approves a proposal of closure proposal by the district to close the school.

(11) Effect of removal of school from Level 4 underperforming status; transitional period

- (a) Upon the commissioner's removal of a school from Level 4 underperforming status pursuant to 603 CMR 2.05(10)(c) or (d), the provisions of M.G.L. c. 69, § 1J, for schools designated as underperforming shall no longer apply to it and the employment of any receiver for the school shall end.
- (b) The district and school may continue their relationship with any external partner appointed to advise or assist the superintendent in the implementation of the turnaround plan and may continue to use the turnaround plan in order to continue to improve school performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was

adopted pursuant to M.G.L. c. 69, § 1J(d), in contravention of any general or special law to the contrary shall be discontinued unless:

1. no more than one year before the removal of the school from Level 4 underperforming status the superintendent proposed to continue such feature of the turnaround plan for a transitional period after the school's removal from Level 4 underperforming status, supporting this proposal with a written explication of the reasons this continuation is necessary and providing the school committee, the teachers' union or association, and the parent organization for the school with a copy of the proposal and supporting documents; and
2. before removing the school from Level 4 underperforming status the commissioner determined, after considering any opposition from the school committee, the teachers' union or association, or the parent organization for the school, that such feature of the turnaround plan would contribute to the continued improvement of the school and should continue after the removal.

The superintendent may propose to continue and the commissioner may allow to continue more than one such feature of the turnaround plan.

(c) Upon making a determination pursuant to 603 CMR 2.05(11)(b)2 that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the school must make for each continuing feature of the plan to be discontinued.

(d) On determination by the commissioner at any time, based on evidence that may include evidence from a school or district review or a follow-up review, that the school has made the progress defined under 603 CMR 2.05(11)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued

1. such feature shall be discontinued; and
2. any powers granted to the commissioner or Board with respect to the school under M.G.L. c. 69, § 1J, that did not cease on removal of the school from Level 4 underperforming status shall cease.

(e) Two years after the removal of the school from Level 4 underperforming status, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the school to determine whether such continuing feature or features should remain in place or be discontinued.

(12) Removal of district from Level 4 underperforming district designation

~~(a) A district placed in Level 4 because one or more of its schools has been placed in Level 4 shall be removed from Level 4 when the district no longer has a school in Level 4, unless the district has a Level 4 District Plan and the commissioner has not yet made the determination described in 603 CMR 2.05(12)(b).~~

~~(b)~~ A district with a Level 4 an Underperforming District Plan shall be removed from Level 4 underperforming status by the commissioner, ~~unless it has a school or schools in Level 4~~, when the commissioner determines, based on evidence that may include evidence from a monitoring report or from a follow-up review, that

- (a) the district has satisfactorily achieved the goals and benchmarks of its Level 4 Underperforming District Plan; and
- (b) the district has the capacity to continue making progress without the accountability and assistance provided by Level 4 underperforming status.

2.06 Accountability and Assistance for Chronically Underperforming Districts and Schools ~~in~~ Level 5

(1) ~~Placement of districts in Level 5~~ Designating districts as chronically underperforming

(a) A district shall be eligible for placement in Level 5 designation as chronically underperforming if it is not a single-school district and it scores in the lowest 10% statewide of districts of the same grade levels on a single measure developed by the Department that takes into account at least:

1. district MCAS ~~performance over a four year period based on Composite Performance Index (CPI) in English language arts; CPI in mathematics; and percentages of students scoring in the "warning" or "failing" category on MCAS; achievement in English language arts, mathematics, and science; and~~
2. ~~improvement in student academic achievement performance~~ student growth in English language arts and mathematics.

(b) The Board may ~~place an eligible district in Level 5~~ designate an eligible district as chronically underperforming of the framework for district accountability and assistance, if the commissioner so recommends, on the basis of one or more of the following:

1. a district review report;
2. a report from an accountability monitor appointed pursuant to 603 CMR 2.05(4)(b);
3. a follow-up review report;
4. quantitative indicators such as student attendance, dismissal, suspension, exclusion, promotion, graduation, and dropout rates, upon the determination of each indicator's reliability and validity, or lack of demonstrated significant improvement for two or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based on special education, ~~low-income~~ economic disadvantage, English language proficiency, and racial classifications, or annual growth in MCAS performance for students in the district as compared with peers across the Commonwealth; or
5. the failure of ~~a Level 4~~ an underperforming district to meet, in a timely manner, the benchmarks or goals in its current Level 4 Underperforming District Plan as approved by the Department pursuant to 603 CMR 2.05(8)(d).

(c) Not more than 2.5% of the total number of school districts may be ~~in Level 5~~ designated as chronically underperforming at any given time.

(d) Before the commissioner recommends that an eligible district be ~~placed in Level 5~~ designated as chronically underperforming, a district review team including at least one member with expertise in the academic achievement of students with limited English proficiency shall conduct

a district review to assess and report on the reasons for the district's underperformance and the prospects for improvement, unless the commissioner determines that a new review is unnecessary because a district review conducted within the last year is adequate.

(e) Before ~~placing a district in Level 5~~designating a district as chronically underperforming, the Board shall consider the findings of the most recent district review, as well as multiple quantitative indicators of district quality such as those listed in 603 CMR 2.06(1)(b)(4).

(f) School district and municipal officials, including the school committee, as well as the local teachers' union or association president or designee, a representative of the local parent organization, and members of the public, shall have an opportunity to be heard by the Board before final action by the Board to ~~place the district in Level 5~~designate the district as chronically underperforming.

(2) ~~Placement of schools in Level 5~~Designating schools as chronically underperforming

(a) The commissioner may ~~place-reclassify a Level 4 an underperforming school in Level 5 as~~chronically underperforming at the expiration of its turnaround plan if the commissioner determines:

1. that the school has failed to improve as required by the goals, benchmarks, or timetable of the turnaround plan; or
2. that the school has failed to make significant improvement and that conditions in the district make it unlikely that the school will make significant improvement unless it is ~~placed in Level 5~~designated as chronically underperforming.

~~(b)~~ Charter schools and Commonwealth of Massachusetts virtual schools shall not be eligible for designation as chronically underperforming schools. Charter schools shall also be held accountable under the provisions of M.G.L. c. 71, § 89, and 603 CMR 1.00. Commonwealth of Massachusetts virtual schools shall also be held accountable under the provisions of M.G.L. c. 71, § 94, and 603 CMR 52.00.

~~(b)(c)~~ School, school district, and municipal officials, including the school committee, as well as the local teachers' union or association president or designee, a representative of the school's parent organization, and family members of students at the school, shall have an opportunity to meet with the commissioner or his or her designee before the commissioner ~~places a school in Level 5~~designates a school as chronically underperforming.

(3) Appointment and powers of receiver for a district in Level 5 chronically underperforming district

(a) Following the ~~placement of a district in Level 5~~designation of a district as chronically underperforming under 603 CMR 2.06(1)(b), the commissioner, on behalf of the Board, shall appoint a receiver for the district pursuant to M.G.L. c. 69, § 1K(a).

(b) The receiver shall have the powers provided to the receiver by M.G.L. c. 69, § 1K, including all of the powers of the superintendent and school committee and full managerial and operational control over the district, provided that the district shall remain the employer of record for all other purposes, and provided further that the commissioner may define the scope of the receiver's powers up to those set forth in M.G.L. c. 69, § 1K, based on conditions in the district or

its schools. The commissioner may from time to time modify the scope of the receiver's powers based on conditions in the district or its schools.

(4) **Replacement of receiver for a district in Level 5 chronically underperforming district** If the commissioner terminates the receiver for a district in Level 5 chronically underperforming district pursuant to M.G.L. c. 69, § 1K(h), the commissioner shall appoint another receiver for the district in accordance with M.G.L. c. 69, § 1K(a) and 603 CMR 2.06(3)(b).

(5) **Receiver for a school in Level 5 chronically underperforming school**

(a) A receiver appointed by the commissioner for a school in Level 5 chronically underperforming school pursuant to M.G.L. c. 69, s. 1J(r), shall have all of the powers that the superintendent previously had over the school and all of the powers granted to a receiver for a Level 5 chronically underperforming school by M.G.L. c. 69, s. 1J. The receiver shall report directly to the commissioner.

(b) If the commissioner terminates the receiver for a school in Level 5 chronically underperforming school pursuant to M.G.L. c. 69, § 1J(v), the commissioner may appoint another receiver for the school in accordance with M.G.L. c. 69, § 1J(r) and 603 CMR 2.06(5)(a).

(6) **Turnaround plans for Level 5 schools chronically underperforming schools** The turnaround plan developed for each school placed in Level 5 chronically underperforming school shall

(a) be authorized, pursuant to M.G.L. c. 69, § 1J(t), for a period of up to three years, and remain in effect until the statutory process to develop any new, modified or renewed turnaround plan has been completed, or the school has been removed from Level 5 chronically underperforming status;

(b) fulfill the other requirements of M.G.L. c. 69, § 1J;

(c) provide for the implementation of the conditions for school effectiveness standards and indicators in published pursuant to 603 CMR 2.03(4) 2.03(5)(6)(a) and (b);

(d) include benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1J, and the conditions for school effectiveness standards and indicators, and a timetable for achieving those benchmarks;

(e) include descriptions of the assistance to be provided by the Department in support of the action steps in the plan, subject to the availability of resources for the Department to provide the assistance; and

(f) be prepared on a format developed by the Department.

(7) **Turnaround plans for Level 5 chronically underperforming districts** The turnaround plan developed for each district placed in Level 5 chronically underperforming district shall:

(a) focus, pursuant to M.G.L. c. 69, § 1K(b), on any Level 5 chronically underperforming school or schools in the district and, using the most recent district review report as a guide, on any district policies or practices that have contributed to the placement designation of the school or schools or district in Level 5 as chronically underperforming, including but not limited to district systems for school support and intervention;

(b) be authorized, pursuant to M.G.L. c. 69, § 1K(f), for a period of up to three years, and remain in effect until the statutory process to develop any new, modified or renewed turnaround plan has been completed, or the district has been removed from [Level 5 chronically underperforming status](#);

(c) fulfill the other requirements of M.G.L. c. 69, § 1K;

(d) if the district has any [Level 4 underperforming](#) or [Level 5 chronically underperforming](#) schools, provide for the implementation in the district of the systems and processes [described in 603 CMR 2.03\(5\)\(6\)](#) necessary to bring about the conditions for school effectiveness in [603 CMR 2.03\(4\)\(b\)](#), including, pursuant to M.G.L. c. 69, § 1K, new turnaround plans for any [Level 4 or 5 underperforming or chronically underperforming](#) school for which the turnaround plans are deemed inadequate by the receiver.

(e) include, for the district: benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1K, and a timetable for achieving those benchmarks;

(f) describe the assistance to be provided by the Department in support of the action steps in the plan, subject to the availability of the resources for the Department to provide the assistance; and

(g) be prepared on a format developed by the Department.

(8) Quarterly reports for [Level 5 chronically underperforming](#) schools and districts

(a) Quarterly reports for [Level 5 chronically underperforming](#) schools, including the review by the commissioner to be submitted at least annually to the superintendent and the school committee, shall be submitted pursuant to M.G.L. c. 69, § 1J(u) and (v) on a format developed by the Department.

(b) Quarterly reports for [Level 5 chronically underperforming](#) districts, including the evaluation by the commissioner to be submitted at least annually to the Board and the school committee, shall be submitted pursuant to M.G.L. c. 69, § 1K(g) and (h) on a format developed by the Department.

(9) Reports to the Board The commissioner shall report regularly to the Board on the progress made by each [chronically underperforming](#) district and school ~~in Level 5~~.

(10) Removal of ~~school from Level 5~~ [chronically underperforming school designation](#)

(a) The commissioner shall define for each [Level 5 chronically underperforming](#) school the academic and other progress that it must make for it to be removed from [Level 5 chronically underperforming status](#). Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by:
 - a. an increase in MCAS scores and an increase in ~~median~~ student growth-percentile;
 - b. ~~a reduction in the proficiency gap~~;
 - c. (for a high school) a higher graduation rate; and

- d. (for a high school) a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely; and
2. progress in implementing the conditions for school effectiveness standards and indicators described in published pursuant to 603 CMR 2.03(4)2.03(5)(6)(a) and (b).
- (b) The commissioner, in defining the required progress for each school, shall customize it to the particular reasons the school was placed in Level 5 designated as chronically underperforming, defining it as any or all of the progress in 603 CMR 2.06(10)(a)1 and 2, or any other progress the commissioner determines appropriate.
- (c) The commissioner shall remove a school from Level 5 chronically underperforming status when, at any time, the commissioner determines, based on evidence that may include a report from the accountability monitor appointed pursuant to 603 CMR 2.05(4)(b), from the school's or district's receiver, if any, from a district review, or from a follow-up review, that:
1. the school has achieved the academic and other progress defined by the commissioner under 603 CMR 2.06(10)(a) and (b) as necessary to allow it to be removed from Level 5 chronically underperforming status; and
 2. the district has the capacity to continue making progress in improving school performance without the accountability and assistance provided due to the school's placement in Level 5 chronically underperforming designation.
- (d) The commissioner may remove a school from chronically underperforming status if the district in which the school resides is designated as chronically underperforming.
- (d)(e) At the expiration of the turnaround plan, in conducting a review of the school pursuant to M.G.L. c. 69, § 1J(w), the commissioner shall consider whether the conditions described in 603 CMR 2.06(10)(c)1 and 2 exist. If the commissioner determines that both of these conditions exist, he or she shall remove the school from Level 5 chronically underperforming status.
- (e)(f) Following his review, the cCommissioner will make a determination as to whether the school has improved sufficiently to be removed from Level 5 chronically underperforming status, or remains in Level 5 maintains its designation as chronically underperforming. The cCommissioner will make the determination in a reasonable period of time, and in any event within 2 months following the release of MCAS test results. The cCommissioner may extend this period of time for good cause.

(11) Effect of removal of chronically underperforming school designations ~~school from Level 5~~; transitional period

- (a) Upon the commissioner's removal of a school from Level 5 chronically underperforming status, the provisions of M.G.L. c. 69, § 1J, for schools designated as chronically underperforming shall no longer apply to it and the employment of any receiver for the school shall end.
- (b) The district and school may continue to use the turnaround plan in order to continue to improve school performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1J(o), in contravention of any general or special law to the contrary shall be discontinued unless the commissioner determined before removing the school from Level 5 chronically underperforming status that such feature of the turnaround plan would contribute to the continued improvement of the school and should

continue for a transitional period after the removal. The commissioner may allow more than one such feature of the turnaround plan to continue.

(c) Upon making a determination pursuant to 603 CMR 2.06(11)(b) that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the school must make for each continuing feature of the plan to be discontinued.

(d) On determination by the commissioner at any time, based on evidence that may include evidence from a school or district review or a follow-up review, that the school has made the progress defined under 603 CMR 2.06(11)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued

1. such feature shall be discontinued; and
2. any powers granted to the commissioner or Board with respect to the school under M.G.L. c. 69, § 1J, that did not cease on removal of the school from Level 5 chronically underperforming status shall cease.

(e) Two years after the removal of the school from Level 5 chronically underperforming status, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the school to determine whether such continuing feature or features should remain in place or be discontinued.

(12) Termination of receivership and removal of chronically underperforming district designation district from Level 5

(a) The commissioner shall define for each Level 5 chronically underperforming district the academic and other progress that it must make for it to be removed from Level 5 chronically underperforming status. Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by:
 - a. an increase in MCAS scores and an increase in median student growth-percentile;
 - b. a reduction in the proficiency gap;
 - c. a higher graduation rate; and
 - d. a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely;
2. the implementation of district systems and practices that meet district standards established under 603 CMR 2.03(4)2.03(5)(6); and
3. progress in implementing in the district's schools the conditions for school effectiveness standards and indicators described in published pursuant to 603 CMR 2.03(4)2.03(5)(6) (a) and (b).

(b) The commissioner, in defining the required progress for the district, shall customize it to the particular reasons the district was placed in Level 5 designated as chronically underperforming, defining it as any or all of the progress in 603 CMR 2.06(12)(a)1 through 3, or any other progress the commissioner determines appropriate.

(c) The commissioner shall terminate the receivership and remove the district from ~~Level 5~~chronically underperforming status when, at any time, the commissioner determines, based on evidence that may include a report from the district's receiver or a follow-up review, that

1. the district has achieved the academic and other progress defined by the commissioner under 603 CMR 2.06(12)(a) and (b) as necessary to allow it to be removed from ~~Level 5~~chronically underperforming status; and
2. the district has the capacity to continue making progress without the accountability and assistance provided by ~~Level 5~~designation as a chronically underperforming district.

(d) At the expiration of the turnaround plan, in reevaluating the district's ~~Level 5~~chronically underperforming status pursuant to M.G.L. c. 69, § 1K(i), the commissioner shall consider whether the conditions described in 603 CMR 2.06(12)(c)1 and 2 exist. If the commissioner determines that both of these conditions exist, he or she shall terminate the receivership and remove the district from ~~Level 5~~chronically underperforming status.

(e) Following his review, the ~~E~~ commissioner will make a determination as to whether the district has improved sufficiently to be removed from ~~Level 5~~chronically underperforming status, or ~~remains in Level 5~~maintains its designation as chronically underperforming. The ~~E~~ commissioner will make the determination in a reasonable period of time, and in any event within 2 months following the release of MCAS test results. The ~~E~~ commissioner may extend this period of time for good cause.

(13) Effect of removal of ~~chronically underperforming district designation~~district from Level 5; transitional period

(a) Upon the commissioner's removal of a district from ~~Level 5~~chronically underperforming status, the provisions of M.G.L. c. 69, § 1K, for districts designated as chronically underperforming shall no longer apply to it and the employment of the receiver shall end.

(b) The district may continue to use the turnaround plan in order to continue to improve students' academic performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1K(d), in contravention of any general or special law to the contrary shall be discontinued unless the commissioner determined, before removing the district from ~~Level 5~~chronically underperforming status, that such feature of the turnaround plan would contribute to the continued improvement of the district and should continue for a transitional period after the removal. The commissioner may allow more than one such feature of the turnaround plan to continue.

(c) Upon making a determination pursuant to 603 CMR 2.06(13)(b) that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the district must make for each continuing feature of the plan to be discontinued.

(d) On determination by the commissioner at any time, based on evidence that may include evidence from a district review, a report from the district's receiver, or a follow-up review, that the district has made the progress defined under 603 CMR 2.06(13)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued:

1. such feature shall be discontinued; and

2. any powers granted to the commissioner or Board with respect to the district under M.G.L. c. 69, § 1K, that did not cease on removal of the district from Level 5 chronically underperforming status shall cease.

(e) Two years after the removal of the district from Level 5 chronically underperforming status, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the district to determine whether such continuing feature or features should remain in place or be discontinued.

(14) Petition by school committee of a Level 5 chronically underperforming district

(a) When the school committee of a Level 5 chronically underperforming district petitions the commissioner, pursuant to M.G.L. c. 69, § 1K (i), for either modification of the turnaround plan or elimination of the turnaround plan and termination of the receivership, the commissioner shall decide the petition after considering the following:

1. written arguments and supporting documentation submitted with the petition by the school committee;
2. written arguments and supporting documentation submitted in response to the petition by the receiver; and
3. the report of any follow-up review conducted since the district was placed in Level 5 designated as chronically underperforming.

(b) If no follow-up review has been conducted within the last year before the commissioner's receipt of the petition and the commissioner determines that such a review would be useful in deciding on the petition, the commissioner may cause one to be conducted and delay the decision on the petition until 30 days after receiving the follow-up review report, provided that a decision on the petition shall be made within four months of the commissioner's receipt of the petition.

(c) Within 30 days of receiving the commissioner's decision, the school committee may appeal an adverse decision to the Board. The Board shall consider the evidence described in 603 CMR 2.06(14)(a)1 through 3 and may consider other evidence from the school committee, receiver, and commissioner. The decision of the Board shall be made within 60 days of receiving the appeal and shall be final.

(d) Neither the process before the commissioner nor the process before the Board shall be an adjudicatory hearing.

(e) No petition for the elimination of the turnaround plan and termination of the receivership shall be granted unless the commissioner or, in the case of an appeal, the Board determines

1. that the district has achieved the progress defined by the commissioner under 603 CMR 2.06(12)(a) as necessary to allow the district to be removed from Level 5 chronically underperforming status or that the district has achieved other, comparable or superior progress; and
2. that the district has the capacity to continue making progress without the accountability and assistance provided by Level 5 designation as chronically underperforming.

(f) Upon a decision by the commissioner or the Board granting a petition for the elimination of the turnaround plan and termination of the receivership, the receivership shall be terminated and the district removed from [Level 5 Chronically underperforming status](#).

2.07 Mathematics Content Assessments at [Level 4 Underperforming](#) and [Level 5 Chronically Underperforming Schools](#)

(1) Requirement of taking a mathematics content assessment The superintendent or the school's receiver, if any, may require all mathematics teachers at an [Level 4 underperforming](#) school to take a mathematics content assessment approved by the Department. The commissioner or the school's receiver, if any, may require all mathematics teachers at a [Level 5 chronically underperforming](#) school to take a mathematics content assessment approved by the Department. A mathematics teacher shall be required to take a mathematics content assessment pursuant to 603 CMR 2.07(1) no more than once a year.

(2) Use of results Individual results on a mathematics content assessment taken pursuant to 603 CMR 2.07(1) shall be used by the mathematics teacher and the school principal in developing or revising professional development plans, as provided in the Recertification Regulations, 603 CMR 44.04(4), and shall be considered by school and district administrators in turnaround planning in the school. These individual results are to be used for diagnostic and turnaround planning purposes only, and individual mathematics teachers' results shall not be considered public records.

(3) Exceptions

(a) A mathematics teacher who would otherwise be required to take a mathematics content assessment pursuant to 603 CMR 2.07(1) shall not be required to take it if the teacher:

1. has passed the Elementary Mathematics, Middle School Mathematics, or Mathematics test of the Massachusetts Tests for Educator Licensure or has passed or been deemed under 603 CMR 7.14(14)(g) to have passed the Mathematics subtest of the General Curriculum test of the Massachusetts Tests for Educator Licensure; and
2. is appropriately licensed for the mathematics the teacher is teaching.

(b) The superintendent or commissioner or the schools receiver, if any, may waive the mathematics content assessment requirement for an individual mathematics teacher based on a finding that the teacher has demonstrated mastery of mathematics or that special circumstances exist that make the assessment requirement inappropriate or immaterial.

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Education Laws and Regulations

603 CMR 2.00:

Accountability and Assistance for School Districts and Schools

Section:

- 2.01: Scope, and Purpose
 - 2.02: Definitions
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 - 2.04: Self-Assessments for Districts and Schools Requiring Assistance or Intervention
 - 2.05: Accountability and Assistance for Underperforming Districts and Schools
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Most Recently Amended by the Board of Education: June 26, 2018

2.01: Scope and Purpose

(1) 603 CMR 2.00 governs the review of the educational programs and services provided by the Commonwealth's public schools and the assistance to be provided by districts and the Department to improve them; it identifies the circumstances under which a school may be declared underperforming and those under which a school or school district may be declared chronically underperforming, resulting in accountability and assistance in accordance with M.G.L. c. 15, § 55A and c. 69, §§ 1J and 1K.

(2) The purpose of 603 CMR 2.00 is to hold districts and schools accountable for educating their students well and to assist them in improving the education they provide.

2.02: Definitions

Accountability Percentile. The measure used to report each school's relative standing compared to other schools statewide. The accountability percentile shall be calculated by ranking data from all available accountability indicators for each school and combining them into a single, final percentile value, from 1 to 99.

Annual Performance Determination. An annual district, grade level, school, or student subgroup achievement and improvement, as determined by the Department relative to indicators which include, but need not be limited to, achievement in English language arts, mathematics, and science, student growth in English language arts and mathematics, high school completion, English language proficiency, chronic absenteeism, and high school advanced coursework completion, in accordance with the federal Elementary and Secondary Education Act (ESEA).

Benchmark assessment. An assessment that is given at regular and specified intervals throughout the school year, is designed to evaluate students' knowledge and skills relative to a specific set of academic standards, and produces results that can be aggregated (e.g., by course, grade level, school, or district) in order to inform teachers and administrators at the student, classroom, school, and district levels.

Board. The Board of Elementary and Secondary Education, appointed in accordance with M.G.L. c. 15, § 1E.

Charter School. A public school operated under a charter granted by the Board pursuant to M.G.L. c. 71, § 89 and 603 CMR 1.00.

Chronically Underperforming District. The designation given to a district by the Board of Elementary and Secondary Education in accordance with M.G.L. c. 69, § 1K.

Chronically Underperforming School. The designation given to an underperforming school by the commissioner in accordance with M.G.L. c. 69, § 1J (1).

Commissioner. The commissioner of elementary and secondary education, appointed in accordance with M.G.L. c. 15, § 1F, or his or her designee.

Commonwealth of Massachusetts Virtual School. A public school operated under a certificate granted by the commissioner pursuant to M.G.L. c. 71, § 94 and 603 CMR 52.00: Commonwealth of Massachusetts Virtual Schools.

Core Subjects. The subjects specified in M.G.L. c. 69, § 1D (science, technology, and mathematics, history and social science, English, foreign languages and the arts) and subjects covered in courses that are part of an approved vocational-technical education program under M.G.L. c. 74.

Criterion-referenced measure. The measure used to report a district's, school's, or subgroup's performance against targets, set by the Department, for each accountability indicator. At the district and school level, the criterion-referenced measure shall combine the results from all students in the district or school and the results from the lowest performing students in the district or school.

Department. The Department of Elementary and Secondary Education acting through the commissioner or his or her designee.

District Analysis and Review Tool or DART. An electronic interface, using graphics and showing trends, of a sampling of relevant data kept by the Department or submitted to the Department by districts over time in areas including but not limited to district and school demographics, access, performance, educator licensure and turnover, student support, and educational resources.

District Improvement Plan. The comprehensive, three-year improvement plan each district is required to develop under M.G.L. c. 69, § 1I.

District Indicators. The detailed performance indicators associated with the district standards and developed by the Department.

District or School District. A municipal school department or regional school district, acting through its school committee or superintendent of schools, or a county agricultural school, acting through its board of trustees or superintendent/director. For the purposes of 603 CMR 2.00 it shall not mean a charter school or a Commonwealth of Massachusetts virtual school.

District Review. A school district audit conducted by the Department under M.G.L. c. 15, § 55A, in accordance with a process and protocol established by the commissioner on behalf of the Board pursuant to M.G.L. c. 69, § 1B, and based on published district standards and indicators.

District Review Report. The report of a district review by a district review team, as required by M. G.L. c. 15, § 55A.

District Review Team. A group of individuals appointed by the Department, pursuant to M.G.L. c. 15, § 55A, to conduct a district review.

District Standards. The standards developed and published by the Department pursuant to 603 CMR 2.03(6)(a) and (b) that are the basis for district reviews.

ESEA. The Elementary and Secondary Education Act, 20 U.S.C. 6301 et seq., reauthorized in 2015 as the Every Student Succeeds Act.

Follow-up Review. A review conducted following a district review to gather further information, to be used for such purposes as determining whether an underperforming district should be reclassified as chronically underperforming or whether a school or district should be removed from underperforming or chronically underperforming status.

Follow-up Review Report. shall mean the report of a follow-up review.

Formative Assessment. Assessment questions, tools, and processes that are embedded in instruction and are used by teachers and students to provide timely feedback for purposes of adjusting instruction to improve learning.

Framework for District Accountability and Assistance. The system for district and school accountability and assistance developed by the Department in consultation with the Board's advisory council on school and district accountability and assistance, approved by the Board, and implemented by the Department pursuant to 603 CMR 2.03(1).

Lowest performing students. The group of students who, when considering achievement on the English language arts and mathematics MCAS assessments, are among the lowest performing students in the district or school.

Mathematics Content Assessment. A diagnostic assessment of mathematics content knowledge approved by the Department that mathematics teachers at an underperforming or chronically underperforming school may be required to take, at no cost to the district or the teacher for the assessment instrument or its scoring.

Mathematics Teacher. Any educator who teaches mathematics in a Massachusetts public school.

MCAS. The Massachusetts Comprehensive Assessment System, provided for in M.G.L. c. 69, § 1I.

Performance. Results or outcomes across multiple measures, including, but not limited to, achievement and student growth.

Receiver shall:

- (a) for a district, mean a non-profit entity or an individual with a demonstrated record of success in improving low-performing schools or districts or the academic performance of disadvantaged students, appointed by the commissioner on behalf of the Board for a district designated as chronically underperforming, pursuant to M.G.L. c. 69, § 1K(a), and 603 CMR 2.06(3); and
- (b) for a school, mean a non-profit entity or an individual with a demonstrated record of success in improving low-performing schools or the academic performance of disadvantaged students,

appointed for a school designated as underperforming by the superintendent pursuant to M.G.L. c. 69, § 1J(h) and 603 CMR 2.05(7) and for a school designated as chronically underperforming by the commissioner pursuant to M.G.L. c. 69, § 1J(r), (v), or (w) and 603 CMR 2.06(5).

School shall mean a single public school which operates under the direct administration of a principal, director, or school leader appointed by the school district or board of trustees responsible for its governance.

School Improvement Plan shall mean the plan for improved student performance each school is required to develop annually under M.G.L. c. 69, § 1I.

Student growth shall mean a measure of how much a student's achievement has improved from one year to the next.

Subgroup shall mean one of the groups of students for which the Department issues annual performance determinations, including but not limited to students with disabilities, English learners, economically disadvantaged students, and students belonging to major racial and ethnic groups.

Subgroup percentile shall mean the measure used to report each subgroup's relative standing compared to like subgroups statewide. The subgroup percentile shall be calculated by ranking data from all available accountability indicators for each subgroup and combining them into a single, final percentile value, from 1 to 99.

Turnaround plan shall mean the plan to improve student achievement in an underperforming or chronically underperforming school or a chronically underperforming district that may serve as the School Improvement Plan or District Improvement Plan.

Underperforming district shall mean the designation given to a district by the Board of Elementary and Secondary Education in accordance with 603 CMR 2.05(1).

Underperforming District Plan shall mean a plan for improvement a district designated as underperforming is required to develop and implement pursuant to 603 CMR 2.05(8)(b), (c), and (d).

Underperforming school shall mean the designation given to a school by the commissioner in accordance with M.G.L. c. 69, § 1J.

2.03: Accountability and Assistance for All Districts and Schools

(1) **Framework for district and school accountability and assistance** The Department shall implement a system for district and school accountability and assistance, approved by the Board and known as the framework for district and school accountability and assistance, for the purpose of improving student performance. Both the priority for assistance and the degree of intervention shall increase as the severity and duration of low performance increase. Under the framework, districts shall hold their schools accountable for educating their students well and assist them in doing so; the Department shall hold districts accountable for both of these functions and assist them in fulfilling them.

(2) **Reported measures** Each year, the Department will report:

- (a) An accountability percentile, representing each school's overall relative standing compared to other schools in the state;
- (b) A criterion-referenced measure of performance against targets, set by the Department, for each accountability indicator, for:
 1. Each district or school as a whole, by using data from all students in the district or school and data from the lowest performing students in each district or school; and
 2. Each subgroup for which there is sufficient data;
- (c) A subgroup percentile, representing each subgroup's relative standing compared to like subgroups in other schools statewide;
- (d) For each district, school, and subgroup that meets the minimum group size requirement for reporting:
 1. Assessment participation rates; and
 2. Whether the district, school, or subgroup met the participation rate requirements established by the Department;
- (e) Information related to each school's need for required assistance or intervention; and
- (f) Information related to schools that demonstrate exemplary performance, as determined by the commissioner.

(3) **Annual performance determinations** Each year, the Department will issue annual performance determinations for all public districts and schools, using the framework developed by the Department and approved by the Board.

(a) **Annual performance determinations for districts include:**

1. Districts in need of required assistance or intervention, for districts that:
 - a. Are in need of broad or comprehensive support, if designated underperforming according to 603 CMR 2.05(1) or designated chronically underperforming according to 603 CMR 2.06(1);
 - b. **Are in need of focused or targeted support due to:**
 - i. Low graduation rates, as defined by the federal Every Student Succeeds Act; or
 - ii. **Low assessment participation rates, as defined by framework for district and school accountability and assistance.**
2. Districts not requiring assistance or intervention, for districts that do not meet any of the criteria in 603 CMR 2.03(3)(a)(1). Annual performance determinations for districts not requiring assistance or intervention will be reported as the degree to which each district has met targets, based on the criterion-referenced measure in 603 CMR 2.03(2)(b)(1).

(b) **Annual performance determinations for schools include:**

1. **Schools in need of required assistance or intervention, for schools that:**
 - a. Are in need of broad or comprehensive support, if designated underperforming according to 603 CMR 2.05(2) or designated chronically underperforming according to 603 CMR 2.06(2);
 - b. **Are in need of focused or targeted support due to:**
 - i. Their placement among the lowest performing 10 percent of schools statewide, based on the accountability percentile described in 603 CMR 2.03(2)(a);
 - ii. The presence of one or more low performing subgroups, using the relative measure described in 603 CMR 2.03(2)(c);
 - iii. Low graduation rates, as defined by the federal Every Student Succeeds Act; or
 - iv. **Low assessment participation rates, as defined by the framework for district and school accountability and assistance.**
2. Schools not requiring assistance or intervention, for schools that do not meet any of the criteria in 603 CMR 2.03(3)(b)(1). Annual performance determinations for schools not requiring assistance or intervention will be reported as the degree to which each school has met targets, based on the criterion-referenced measure in 603 CMR 2.03(2)(b)(1).

(4) **District reviews** The Department may conduct a district review, encompassing the district and its schools, of any district.

(5) **District Analysis and Review Tool** The Department shall provide the District Analysis and Review Tool to every district, including multiple data elements, giving schools the capability of comparing themselves with similar schools or other schools of their choice, and giving districts the capability of comparing themselves with similar districts or other districts of their choice.

(6) **District standards and indicators**

(a) District reviews, improvement planning, and other forms of accountability and assistance shall be based on standards of effective policy and practice in:

1. Leadership and governance;
2. Curriculum and instruction;
3. Assessment;
4. Human resources and professional development;
5. Student support; and
6. Financial and asset management.

(b) The Department shall publish a detailed version of the standards and associated indicators, which shall be informed by research-based practices identified as characteristic of schools that have experienced rapid improvements in student outcomes.

(7) **District improvement planning** Every district shall develop and implement an annual self-evaluation and district improvement planning process.

- (a) The district's self-evaluation and planning process shall result, every three years, in a comprehensive written three-year District Improvement Plan to improve the performance of the district and its schools.
- (b) Each year, every school shall adopt school performance goals and develop and implement a written School Improvement Plan to advance those goals and improve student performance. The School Improvement Plan shall be aligned with the District Improvement Plan.
- (c) A district's District Improvement Plan and School Improvement Plans shall be based on an analysis of data, including but not limited to data on student performance and the District Analysis and Review Tool provided by the Department under 603 CMR 2.03(5), and an assessment of actions the district and its schools must take to improve that performance.
- (d) District Improvement Plans and School Improvement Plans shall, in form and content, conform to requirements set forth in M.G.L. c. 69, § 1I.

(8) **Assistance from the Department**

- (a) The Department shall make available a variety of forms of assistance, such as examples, tools, templates, protocols, and surveys to assist districts and schools in assessing themselves and improving student performance.
- (b) The Department shall also make available to districts, to the extent funding allows, professional development opportunities and assistance from Department staff members, Department contractors, or third party partners. Priority for receiving professional development or assistance, as well as the degree of intervention by the Department, shall be based on the annual performance determination by the Department of the district or one or more of its schools.

(9) **Annual Report to Board** The Department shall report annually to the Board on district and school accountability results.

(10) **Notice and Consultation** The Department shall solicit public comment on proposed changes to the framework for district and school accountability and assistance, including changes to the indicators or the weighting of indicators in the framework. After considering the public comment, the commissioner will forward a recommendation for any proposed changes to the Board for approval.

2.04: Self-Assessments for Districts and Schools Requiring Assistance or Intervention

(1) **Self-assessment by districts with schools requiring assistance or intervention** A district with one or more schools requiring assistance or intervention according to 603 CMR 2.03(3)(b) shall use a process approved by the Department to complete a self-assessment and shall address the needs identified by the self-assessment by revising its District Improvement Plan and School Improvement Plans.

(2) **Self-assessment by districts requiring assistance or intervention** A district identified as requiring assistance or intervention according to 603 CMR 2.03(3)(a) shall use a process approved by the Department to complete a self-assessment and shall address the needs identified by the self-assessment by revising its District Improvement Plan and, if needed, its School Improvement Plans.

2.05: Accountability and Assistance for Underperforming Districts and Schools

(1) **Designating districts as underperforming** The Board may designate a district as underperforming upon recommendation of the commissioner based on findings from a district review, monitoring report, or follow-up review showing serious deficiencies, relating to one or more district standards, that are likely if they are not addressed effectively and in a timely manner to have a substantial negative effect on student performance in the district, putting the district at risk of being designated as chronically underperforming.

(2) Designating schools as underperforming

(a) A school shall be eligible for designation as underperforming if it scores in the lowest 20&percent; statewide of schools serving common grade levels on a single measure developed by the Department that takes into account at least:

1. school MCAS achievement in English language arts, mathematics, and science; and
2. student growth in English language arts and mathematics.

(b) The commissioner may designate a school as underperforming on the basis of quantitative data including but not limited to:

1. school MCAS achievement in English language arts, mathematics, and science;
2. change in school MCAS achievement;
3. annual student growth on MCAS for students at the school as compared with peers across the Commonwealth;
4. in the case of high schools, graduation and dropout rates; or
5. other indicators of school performance including student attendance, dismissal, suspension, exclusion, and promotion rates upon the determination of each indicator's reliability and validity, or lack of demonstrated significant improvement for two or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based on special education, economically disadvantaged, English learner status, and racial classifications; or on the basis of information from a school or district review performed under M.G.L. c. 15, § 55A.

(c) Charter schools and Commonwealth of Massachusetts virtual schools shall not be eligible for designation as underperforming schools. Charter schools shall also be held accountable under the provisions of M.G.L. c. 71, § 89, and 603 CMR 1.00. Commonwealth of Massachusetts virtual schools shall also be held accountable under the provisions of M.G.L. c. 71, § 94, and 603 CMR 52.00.

(d) Not more than 4&percent; of the total number of public schools may be designated as underperforming or chronically underperforming, taken together, at any given time.

(3) **Notification** The Department shall notify districts in which any school is designated as underperforming. The notification shall be made to the school committee, superintendent, and local teachers' union or association president, and the principal and the parent organization of any school designated as underperforming.

(4) **Appointment of assistance and accountability personnel** Upon designating a district as underperforming, the Department may make any or all of the following appointments:

(a) an assistance lead:

1. to support the district in developing and carrying out a turnaround plan for each of its underperforming schools, if any; and
2. to support the district in district improvement planning pursuant to 603 CMR 2.05(8), if required;

(b) an accountability monitor to determine and report on:

1. whether the goals, benchmarks, and timetable in the turnaround plan for each of the district's underperforming schools, if any, are being met; and
2. if the district has an Underperforming District Plan pursuant to 603 CMR 2.08(c), whether its goals, benchmarks, and timetable are being met; and

(c) an individual or team to conduct monitoring site visits to the district or its schools.

(5) Turnaround plans for underperforming schools

(a) The turnaround plan developed for each school designated as underperforming shall:

1. be authorized, pursuant to M.G.L. c. 69, s. § 1J(j), for a period of up to three years, and remain in effect until the statutory process to develop any new, modified, or renewed turnaround plan has been completed, or the school has been removed from underperforming status;
2. fulfill the other requirements of M.G.L. c. 69, § 1J;
3. provide for the implementation of the standards and indicators published pursuant to 603 CMR 2.03(6)(a) and (b);
4. include benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1J, and the standards and indicators, and a timetable for achieving those benchmarks;
5. include descriptions of the assistance to be provided by the Department in support of the action steps in the plan, as agreed on by the Department and the superintendent, subject to the availability of resources for the Department to provide the assistance; and
6. be prepared on a format provided by the Department.

(b) Once the superintendent has received the recommendations of the local stakeholder group under M.G.L. c. 69, § 1J(b), the superintendent may request that the school committee and any union bargain or reopen the bargaining of the relevant collective bargaining agreement, pursuant to M.G.L. c. 69, § 1J(g). If necessary, the 30 days provided by M.G.L. c. 69, § 1J(e) for the superintendent to submit a turnaround plan for modifications to the local stakeholder group, school committee, and commissioner shall be extended, without exceeding the time periods mandated by M.G.L. c. 69, § 1J(g), to provide time for bargaining, ratification, a dispute resolution process, the submission of a decision by the joint resolution committee, or a resolution by the commissioner, pursuant to M.G.L. c. 69, § 1J(g).

(c) Within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), the commissioner shall review the plan and may, in consultation with the superintendent, propose modifications to the plan if the commissioner determines that

1. such modifications would further promote the rapid academic achievement of students in the school;
2. a component of the plan was included, or a modification under M.G.L. c. 69, § 1J(e) was excluded, on the basis of demonstrably false information or evidence; or
3. the superintendent failed to meet the requirements of M.G.L. c. 69, § 1J(b) to (e), inclusive.

(d) Within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), the school committee or local union may appeal to the commissioner one or more components of the plan pursuant to M.G.L. c. 69, § 1J(f). Within 30 days of the receipt of such appeal, the commissioner shall decide the appeal and may, in consultation with the superintendent, make one or more modifications to the plan based on the appeal if the commissioner makes any of the determinations in 603 CMR 2.05(5)(c)1 through 3. The commissioner's decision on the appeal shall be final.

(e) Within 30 days of the receipt of the last appeal made under M.G.L. c. 69, § 1J(f) and 603 CMR 2.05(5)(d), or, if no such appeal is received within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), at the expiration of those 30 days, the commissioner shall return the turnaround plan to the superintendent incorporating any modifications made under 603 CMR 2.05(5)(c) or (d), or both. Such return of the plan to the superintendent shall constitute the commissioner's approval, pursuant to M.G.L. c. 69, § 1J(b), of the plan returned.

(6) **Annual reviews of underperforming schools** Superintendents shall use a format provided by the Department for the reviews to be submitted to the commissioner and school committee at least annually pursuant to M.G.L. c. 69, § 1J(k).

(7) Receiver for an underperforming school

(a) If the superintendent appoints a receiver for an underperforming school pursuant to M.G.L. c. 69, s. 1J(h), the superintendent shall define the scope of the receiver's powers, up to and including all of the powers of the superintendent over the school, including all of the powers granted by M.G.L. c. 69, s. 1J. The superintendent may from time to time modify the scope of the receiver's powers based on conditions in the school. The receiver shall report directly to the superintendent.

(b) If the commissioner requires the superintendent to terminate the receiver for an underperforming school pursuant to M.G.L. c. 69, § 1J(k), the superintendent may, with the approval of the commissioner, select and appoint another receiver for the school in accordance with M.G.L. c. 69, § 1J(h) and 603 CMR 2.05(7)(a).

(8) District improvement planning for underperforming districts

(a) The turnaround plan developed pursuant to 603 CMR 2.05(5) for any underperforming school shall include, among its provisions pursuant to 603 CMR 2.05(5)(a)(3) for the implementation of the standards and indicators, provisions for the improvement of district systems for school support and intervention in accordance with the standards and indicators published pursuant to 603 CMR 2.03(6)(a) and (b).

(b) If a district has been designated as underperforming pursuant to 603 CMR 2.05(1), the Department shall notify the underperforming district that it is required to develop an Underperforming District Plan in order to correct the serious deficiencies identified in the district pursuant to 603 CMR 2.05(1).

(c) Each underperforming district notified by the Department pursuant to 603 CMR 2.05(8)(b) shall develop an Underperforming District Plan that includes goals and benchmarks appropriate to the

reasons it has been required to develop an Underperforming District Plan, along with strategies, action steps, and a timetable for achieving those goals and benchmarks. The Underperforming District Plan shall be prepared on a format provided by the Department.

(d) An underperforming district shall submit any required Underperforming District Plan and any successor Underperforming District Plan for approval by the Department. A district whose Underperforming District Plan is approved by the Department shall receive priority for Department assistance. From year to year, continued priority for Department assistance shall be dependent on the district's success in achieving the goals and benchmarks in the approved Underperforming District Plan or approved successor Underperforming District Plan in accordance with the approved timetable.

(9) **Annual report to Board** The commissioner shall report annually to the Board on the progress made by districts and schools designated as underperforming.

(10) Removal of underperforming school designation

(a) The commissioner shall define for each underperforming school the academic and other progress that it must make for it to be removed from underperforming status. Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by:
 - a. an increase in MCAS scores and an increase in student growth;
 - b. (for a high school) a higher graduation rate; and
 - c. (for a high school) a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely; and
2. progress in implementing the standards and indicators published pursuant to 603 CMR 2.03(6)(a) and (b).

(b) The commissioner, in defining the required progress for each school, shall customize it to the particular reasons the school was designated as underperforming, defining it as any or all of the progress in 2.05(10)(a) 1 and 2, or any other progress the commissioner determines appropriate.

(c) After consultation with the superintendent, the commissioner shall remove a school from underperforming status when, at any time, the commissioner determines, based on evidence that may include evidence from a report from the accountability monitor appointed pursuant to 603 CMR 2.05(4)(b), a review by the superintendent submitted pursuant to M.G.L. c. 69, § 1(k), a review conducted by the commissioner pursuant to M.G.L. c. 69, § 1(j)(i), or a district review or a follow-up review, that:

1. the school has achieved the academic and other progress defined by the commissioner under 603 CMR 2.05(10)(a) and (b) as necessary to allow it to be removed from underperforming status; and
2. the district has the capacity to continue making progress in improving school performance without the accountability and assistance provided due to the school's designation as underperforming.

(d) At the expiration of the turnaround plan, in conducting a review of the school pursuant to M.G.L. c. 69, § 1(j)(i), the commissioner shall consider whether the conditions described in 603 CMR 2.05(10)(c) 1 and 2 exist. If the commissioner determines that both of these conditions exist, he or she shall remove the school from underperforming status.

(e) Following his review, the commissioner will make a determination as to whether the school has improved sufficiently to be removed from underperforming status; maintains its underperforming designation; or is chronically underperforming. The commissioner will make the determination in a reasonable period of time, and in any event within 2 months following the release of MCAS test results. The commissioner may extend this period of time for good cause.

(f) Notwithstanding the foregoing requirements of 603 CMR 2.05(10), the commissioner may remove from underperforming status any school for which he or she approves a proposal by the district to close the school.

(11) Effect of removal of school from underperforming status; transitional period

(a) Upon the commissioner's removal of a school from underperforming status pursuant to 603 CMR 2.05(10)(c) or (d), the provisions of M.G.L. c. 69, § 1J, for schools designated as underperforming shall no longer apply to it and the employment of any receiver for the school shall end.

(b) The district and school may continue their relationship with any external partner appointed to advise or assist the superintendent in the implementation of the turnaround plan and may continue to use the turnaround plan in order to continue to improve school performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1J(d), in contravention of any general or special law to the contrary shall be discontinued unless:

1. no more than one year before the removal of the school from underperforming status the superintendent proposed to continue such feature of the turnaround plan for a transitional period after the school's removal from underperforming status, supporting this proposal with a written explication of the reasons this continuation is necessary and providing the school committee, the teachers' union or association, and the parent organization for the school with a copy of the proposal and supporting documents; and
2. before removing the school from underperforming status the commissioner determined, after considering any opposition from the school committee, the teachers' union or association, or the parent organization for the school, that such feature of the turnaround plan would contribute to the continued improvement of the school and should continue after the removal.

The superintendent may propose to continue and the commissioner may allow to continue more than one such feature of the turnaround plan.

(c) Upon making a determination pursuant to 603 CMR 2.05(11)(b) 2 that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the school must make for each continuing feature of the plan to be discontinued.

(d) On determination by the commissioner at any time, based on evidence that may include evidence from a school or district review or a follow-up review, that the school has made the progress defined under 603 CMR 2.05(11)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued

1. such feature shall be discontinued; and

2. any powers granted to the commissioner or Board with respect to the school under M.G.L. c. 69, § 1J, that did not cease on removal of the school from underperforming status shall cease.

(e) Two years after the removal of the school from underperforming status, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the school to determine whether such continuing feature or features should remain in place or be discontinued.

(12) **Removal of underperforming district designation** A district with an Underperforming District Plan shall be removed from underperforming status by the commissioner when the commissioner determines, based on evidence that may include evidence from a monitoring report or from a follow-up review, that

- (a) the district has satisfactorily achieved the goals and benchmarks of its Underperforming District Plan; and
- (b) the district has the capacity to continue making progress without the accountability and assistance provided by underperforming status.

2.06 Accountability and Assistance for Chronically Underperforming Districts and Schools

(1) Designating districts as chronically underperforming

(a) A district shall be eligible for designation as chronically underperforming if it is not a single-school district and it scores in the lowest 10&percent; statewide of districts of the same grade levels on a single measure developed by the Department that takes into account at least:

1. district MCAS achievement in English language arts, mathematics, and science; and
2. student growth in English language arts and mathematics.

(b) The Board may designate an eligible district as chronically underperforming, if the commissioner so recommends, on the basis of one or more of the following:

1. a district review report;
2. a report from an accountability monitor appointed pursuant to 603 CMR 2.05(4)(b);
3. a follow-up review report;
4. quantitative indicators such as student attendance, dismissal, suspension, exclusion, promotion, graduation, and dropout rates, upon the determination of each indicator's reliability and validity, or lack of demonstrated significant improvement for two or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based on special education, economic disadvantage, English language proficiency, and racial classifications, or annual growth in MCAS performance for students in the district as compared with peers across the Commonwealth; or
5. the failure of an underperforming district to meet, in a timely manner, the benchmarks or goals in its current Underperforming District Plan as approved by the Department pursuant to 603 CMR 2.05(8)(d).

(c) Not more than 2.5&percent; of the total number of school districts may be designated as chronically underperforming at any given time.

(d) Before the commissioner recommends that an eligible district be designated as chronically underperforming, a district review team including at least one member with expertise in the academic achievement of students with limited English proficiency shall conduct a district review to assess and report on the reasons for the district's underperformance and the prospects for improvement, unless the commissioner determines that a new review is unnecessary because a district review conducted within the last year is adequate.

(e) Before designating a district as chronically underperforming, the Board shall consider the findings of the most recent district review, as well as multiple quantitative indicators of district quality such as those listed in 603 CMR 2.06(1)(b)(4).

(f) School district and municipal officials, including the school committee, as well as the local teachers' union or association president or designee, a representative of the local parent organization, and members of the public, shall have an opportunity to be heard by the Board before final action by the Board to designate the district as chronically underperforming.

(2) Designating schools as chronically underperforming

(a) The commissioner may reclassify an underperforming school as chronically underperforming at the expiration of its turnaround plan if the commissioner determines:

1. that the school has failed to improve as required by the goals, benchmarks, or timetable of the turnaround plan; or
2. that the school has failed to make significant improvement and that conditions in the district make it unlikely that the school will make significant improvement unless it is designated as chronically underperforming.

(b) Charter schools and Commonwealth of Massachusetts virtual schools shall not be eligible for designation as chronically underperforming schools. Charter schools shall also be held accountable under the provisions of M.G.L. c. 71, § 89, and 603 CMR 1.00. Commonwealth of Massachusetts virtual schools shall also be held accountable under the provisions of M.G.L. c. 71, § 94, and 603 CMR 52.00.

(c) School, school district, and municipal officials, including the school committee, as well as the local teachers' union or association president or designee, a representative of the school's parent

organization, and family members of students at the school, shall have an opportunity to meet with the commissioner or his or her designee before the commissioner designates a school as chronically underperforming.

(3) Appointment and powers of receiver for a chronically underperforming district

- (a) Following the designation of a district as chronically underperforming under 603 CMR 2.06(1)(b), the commissioner, on behalf of the Board, shall appoint a receiver for the district pursuant to M.G.L. c. 69, § 1K(a).
- (b) The receiver shall have the powers provided to the receiver by M.G.L. c. 69, § 1K, including all of the powers of the superintendent and school committee and full managerial and operational control over the district, provided that the district shall remain the employer of record for all other purposes, and provided further that the commissioner may define the scope of the receiver's powers up to those set forth in M.G.L. c. 69, § 1K, based on conditions in the district or its schools. The commissioner may from time to time modify the scope of the receiver's powers based on conditions in the district or its schools.

(4) Replacement of receiver for a chronically underperforming district If the commissioner terminates the receiver for a chronically underperforming district pursuant to M.G.L. c. 69, § 1K(h), the commissioner shall appoint another receiver for the district in accordance with M.G.L. c. 69, § 1K(a) and 603 CMR 2.06(3)(b).

(5) Receiver for a chronically underperforming school

- (a) A receiver appointed by the commissioner for a chronically underperforming school pursuant to M.G.L. c. 69, s. 1J(r), shall have all of the powers that the superintendent previously had over the school and all of the powers granted to a receiver for a chronically underperforming school by M.G.L. c. 69, s. 1J. The receiver shall report directly to the commissioner.
- (b) If the commissioner terminates the receiver for a chronically underperforming school pursuant to M.G.L. c. 69, § 1J(v), the commissioner may appoint another receiver for the school in accordance with M.G.L. c. 69, § 1J(r) and 603 CMR 2.06(5)(a).

(6) Turnaround plans for chronically underperforming schools The turnaround plan developed for each chronically underperforming school shall

- (a) be authorized, pursuant to M.G.L. c. 69, § 1J(t), for a period of up to three years, and remain in effect until the statutory process to develop any new, modified or renewed turnaround plan has been completed, or the school has been removed from chronically underperforming status;
- (b) fulfill the other requirements of M.G.L. c. 69, § 1J;
- (c) provide for the implementation of the standards and indicators published pursuant to 603 CMR 2.03(6)(a) and (b);
- (d) include benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1J, and the standards and indicators, and a timetable for achieving those benchmarks;
- (e) include descriptions of the assistance to be provided by the Department in support of the action steps in the plan, subject to the availability of resources for the Department to provide the assistance; and
- (f) be prepared on a format developed by the Department.

(7) Turnaround plans for chronically underperforming districts The turnaround plan developed for each chronically underperforming district shall:

- (a) focus, pursuant to M.G.L. c. 69, § 1K(b), on any chronically underperforming school or schools in the district and, using the most recent district review report as a guide, on any district policies or practices that have contributed to the designation of the school or schools or district as chronically underperforming, including but not limited to district systems for school support and intervention;
- (b) be authorized, pursuant to M.G.L. c. 69, § 1K(f), for a period of up to three years, and remain in effect until the statutory process to develop any new, modified or renewed turnaround plan has been completed, or the district has been removed from chronically underperforming status;
- (c) fulfill the other requirements of M.G.L. c. 69, § 1K;
- (d) if the district has any underperforming or chronically underperforming schools, provide for the implementation in the district of the systems and processes described in 603 CMR 2.03(6), including, pursuant to M.G.L. c. 69, § 1K, new turnaround plans for any underperforming or chronically underperforming school for which the turnaround plans are deemed inadequate by the receiver;
- (e) include, for the district: benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1K, and a timetable for achieving those benchmarks;
- (f) describe the assistance to be provided by the Department in support of the action steps in the plan, subject to the availability of the resources for the Department to provide the assistance; and
- (g) be prepared on a format developed by the Department.

(8) Quarterly reports for chronically underperforming schools and districts

- (a) Quarterly reports for chronically underperforming schools, including the review by the commissioner to be submitted at least annually to the superintendent and the school committee, shall be submitted pursuant to M.G.L. c. 69, § 1J(u) and (v) on a format developed by the Department.
- (b) Quarterly reports for chronically underperforming districts, including the evaluation by the commissioner to be submitted at least annually to the Board and the school committee, shall be submitted pursuant to M.G.L. c. 69, § 1K(g) and (h) on a format developed by the Department.

(9) Reports to the Board The commissioner shall report regularly to the Board on the progress made by each chronically underperforming district and school.

(10) Removal of chronically underperforming school designation

(a) The commissioner shall define for each chronically underperforming school the academic and other progress that it must make for it to be removed from chronically underperforming status. Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by:
 - a. an increase in MCAS scores and an increase in student growth;
 - b. (for a high school) a higher graduation rate; and
 - c. (for a high school) a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely; and
2. progress in implementing the standards and indicators published pursuant to 603 CMR 2.03(6)(a) and (b).

(b) The commissioner, in defining the required progress for each school, shall customize it to the particular reasons the school was designated as chronically underperforming, defining it as any or all of the progress in 603 CMR 2.06(10)(a)1 and 2, or any other progress the commissioner determines appropriate.

(c) The commissioner shall remove a school from chronically underperforming status when, at any time, the commissioner determines, based on evidence that may include a report from the accountability monitor appointed pursuant to 603 CMR 2.05(4)(b), from the school's or district's receiver, if any, from a district review, or from a follow-up review, that:

1. the school has achieved the academic and other progress defined by the commissioner under 603 CMR 2.06(10)(a) and (b) as necessary to allow it to be removed from chronically underperforming status; and
2. the district has the capacity to continue making progress in improving school performance without the accountability and assistance provided due to the school's chronically underperforming designation.

(d) The commissioner may remove a school from chronically underperforming status if the district in which the school resides is designated as chronically underperforming.

(e) At the expiration of the turnaround plan, in conducting a review of the school pursuant to M.G.L. c. 69, § 1J(w), the commissioner shall consider whether the conditions described in 603 CMR 2.06(10)(c)1 and 2 exist. If the commissioner determines that both of these conditions exist, he or she shall remove the school from chronically underperforming status.

(f) Following his review, the commissioner will make a determination as to whether the school has improved sufficiently to be removed from chronically underperforming status, or maintains its designation as chronically underperforming. The commissioner will make the determination in a reasonable period of time, and in any event within 2 months following the release of MCAS test results. The commissioner may extend this period of time for good cause.

(11) Effect of removal of chronically underperforming school designation; transitional period

(a) Upon the commissioner's removal of a school from chronically underperforming status, the provisions of M.G.L. c. 69, § 1J, for schools designated as chronically underperforming shall no longer apply to it and the employment of any receiver for the school shall end.

(b) The district and school may continue to use the turnaround plan in order to continue to improve school performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1J(o), in contravention of any general or special law to the contrary shall be discontinued unless the commissioner determined before removing the school from chronically underperforming status that such feature of the turnaround plan would contribute to the continued improvement of the school and should continue for a transitional period after the removal. The commissioner may allow more than one such feature of the turnaround plan to continue.

(c) Upon making a determination pursuant to 603 CMR 2.06(11)(b) that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the school must make for each continuing feature of the plan to be discontinued.

(d) On determination by the commissioner at any time, based on evidence that may include evidence from a school or district review or a follow-up review, that the school has made the progress defined under 603 CMR 2.06(11)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued

1. such feature shall be discontinued; and
2. any powers granted to the commissioner or Board with respect to the school under M.G.L. c. 69, § 1J, that did not cease on removal of the school from chronically underperforming status shall cease.

(e) Two years after the removal of the school from chronically underperforming status, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the school to determine whether such continuing feature or features should remain in place or be discontinued.

(12) Termination of receivership and removal of chronically underperforming district designation

(a) The commissioner shall define for each chronically underperforming district the academic and other progress that it must make for it to be removed from chronically underperforming status. Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by:

- a. an increase in MCAS scores and an increase in student growth;
 - b. a higher graduation rate; and
 - c. a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely;
 2. the implementation of district systems and practices that meet district standards established under 603 CMR 2.03(6); and
 3. progress in implementing in the district's schools the standards and indicators published pursuant to 603 CMR 2.03(6)(a) and (b).
- (b) The commissioner, in defining the required progress for the district, shall customize it to the particular reasons the district was designated as chronically underperforming, defining it as any or all of the progress in 603 CMR 2.06(12)(a)1 through 3, or any other progress the commissioner determines appropriate.
- (c) The commissioner shall terminate the receivership and remove the district from chronically underperforming status when, at any time, the commissioner determines, based on evidence that may include a report from the district's receiver or a follow-up review, that
1. the district has achieved the academic and other progress defined by the commissioner under 603 CMR 2.06(12)(a) and (b) as necessary to allow it to be removed from chronically underperforming status; and
 2. the district has the capacity to continue making progress without the accountability and assistance provided by designation as a chronically underperforming district.
- (d) At the expiration of the turnaround plan, in reevaluating the district's chronically underperforming status pursuant to M.G.L. c. 69, § 1K(i), the commissioner shall consider whether the conditions described in 603 CMR 2.06(12)(c)1 and 2 exist. If the commissioner determines that both of these conditions exist, he or she shall terminate the receivership and remove the district from chronically underperforming status.
- (e) Following his review, the commissioner will make a determination as to whether the district has improved sufficiently to be removed from chronically underperforming status, or maintains its designation as chronically underperforming. The commissioner will make the determination in a reasonable period of time, and in any event within 2 months following the release of MCAS test results. The commissioner may extend this period of time for good cause.

(13) Effect of removal of chronically underperforming district designation; transitional period

- (a) Upon the commissioner's removal of a district from chronically underperforming status, the provisions of M.G.L. c. 69, § 1K, for districts designated as chronically underperforming shall no longer apply to it and the employment of the receiver shall end.
- (b) The district may continue to use the turnaround plan in order to continue to improve students' academic performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1K(d), in contravention of any general or special law to the contrary shall be discontinued unless the commissioner determined, before removing the district from chronically underperforming status, that such feature of the turnaround plan would contribute to the continued improvement of the district and should continue for a transitional period after the removal. The commissioner may allow more than one such feature of the turnaround plan to continue.
- (c) Upon making a determination pursuant to 603 CMR 2.06(13)(b) that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the district must make for each continuing feature of the plan to be discontinued.
- (d) On determination by the commissioner at any time, based on evidence that may include evidence from a district review, a report from the district's receiver, or a follow-up review, that the district has made the progress defined under 603 CMR 2.06(13)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued:
1. such feature shall be discontinued; and
 2. any powers granted to the commissioner or Board with respect to the district under M.G.L. c. 69, § 1K, that did not cease on removal of the district from chronically underperforming status shall cease.
- (e) Two years after the removal of the district from chronically underperforming status, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the district to determine whether such continuing feature or features should remain in place or be discontinued.

(14) Petition by school committee of a chronically underperforming district

- (a) When the school committee of a chronically underperforming district petitions the commissioner, pursuant to M.G.L. c. 69, § 1K (i), for either modification of the turnaround plan or elimination of the turnaround plan and termination of the receivership, the commissioner shall decide the petition after considering the following:
1. written arguments and supporting documentation submitted with the petition by the school committee;
 2. written arguments and supporting documentation submitted in response to the petition by the receiver; and
 3. the report of any follow-up review conducted since the district was designated as chronically underperforming.
- (b) If no follow-up review has been conducted within the last year before the commissioner's receipt of the petition and the commissioner determines that such a review would be useful in deciding on the petition, the commissioner may cause one to be conducted and delay the decision on the petition until 30 days after receiving the follow-up review report, provided that a decision on the petition shall be made within four months of the commissioner's receipt of the petition.
- (c) Within 30 days of receiving the commissioner's decision, the school committee may appeal an adverse decision to the Board. The Board shall consider the evidence described in 603 CMR 2.06(14)(a)1 through 3 and may consider other evidence from the school committee, receiver, and commissioner. The decision of the Board shall be made within 60 days of receiving the appeal and shall be final.
- (d) Neither the process before the commissioner nor the process before the Board shall be an adjudicatory hearing.
- (e) No petition for the elimination of the turnaround plan and termination of the receivership shall be granted unless the commissioner or, in the case of an appeal, the Board determines
1. that the district has achieved the progress defined by the commissioner under 603 CMR 2.06(12)(a) as necessary to allow the district to be removed from chronically underperforming status or that the district has achieved other, comparable or superior progress; and
 2. that the district has the capacity to continue making progress without the accountability and assistance provided by designation as chronically underperforming.
- (f) Upon a decision by the commissioner or the Board granting a petition for the elimination of the turnaround plan and termination of the receivership, the receivership shall be terminated and the district removed from chronically underperforming status.

2.07 Mathematics Content Assessments at Underperforming and Chronically Underperforming Schools

- (1) **Requirement of taking a mathematics content assessment** The superintendent or the school's receiver, if any, may require all mathematics teachers at an underperforming school to take a mathematics content assessment approved by the Department. The commissioner or the school's receiver, if any, may require all mathematics teachers at a chronically underperforming school to take a mathematics content assessment approved by the Department. A mathematics teacher shall be required to take a mathematics content assessment pursuant to 603 CMR 2.07(1) no more than once a year.
- (2) **Use of results** Individual results on a mathematics content assessment taken pursuant to 603 CMR 2.07(1) shall be used by the mathematics teacher and the school principal in developing or revising professional development plans, as provided in the Recertification Regulations, 603 CMR 44.04(4), and shall be considered by school and district administrators in turnaround planning in the school. These individual results are to be used for diagnostic and turnaround planning purposes only, and individual mathematics teachers' results shall not be considered public records.

(3) Exceptions

- (a) A mathematics teacher who would otherwise be required to take a mathematics content assessment pursuant to 603 CMR 2.07(1) shall not be required to take it if the teacher:
1. has passed the Elementary Mathematics, Middle School Mathematics, or Mathematics test of the Massachusetts Tests for Educator Licensure or has passed or been deemed under 603 CMR 7.14(14)(g) to have passed the Mathematics subtest of the General Curriculum test of the Massachusetts Tests for Educator Licensure; and
 2. is appropriately licensed for the mathematics the teacher is teaching.
- (b) The superintendent or commissioner or the schools receiver, if any, may waive the mathematics content assessment requirement for an individual mathematics teacher based on a finding that the teacher has demonstrated mastery of mathematics or that special circumstances exist that make the assessment requirement inappropriate or immaterial.

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603 CMR 2.00: ACCOUNTABILITY AND ASSISTANCE FOR SCHOOL DISTRICTS AND SCHOOLS

Section

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2.01: Scope and Purpose

(1) 603 CMR 2.00 governs the review of the educational programs and services provided by the Commonwealth's public schools and the assistance to be provided by districts and the Department to improve them; it identifies the circumstances under which a school may be declared underperforming and those under which a school or school district may be declared chronically underperforming, resulting in accountability and assistance in accordance with M.G.L. c. 15, § 55A and M.G.L. c. 69, §§ 1J and 1K.

(2) The purpose of 603 CMR 2.00 is to hold districts and schools accountable for educating their students well and to assist them in improving the education they provide.

2.02: Definitions

Accountability Percentile. The measure used to report each school's relative standing compared to other schools statewide. The accountability percentile shall be calculated by ranking data from all available accountability indicators for each school and combining them into a single, final percentile value, from one to 99.

Annual Performance Determination. Annual district, grade level, school, or student subgroup achievement and improvement, as determined by the Department relative to indicators which include, but need not be limited to, achievement in English language arts, mathematics, and science, student growth in English language arts and mathematics, high school completion, English language proficiency, chronic absenteeism, and high school advanced coursework completion, in accordance with the federal Elementary and Secondary Education Act (ESEA).

Benchmark Assessment. An assessment that is given at regular and specified intervals throughout the school year, is designed to evaluate students' knowledge and skills relative to a specific set of academic standards, and produces results that can be aggregated (*e.g.*, by course, grade level, school, or district) in order to inform teachers and administrators at the student, classroom, school, and district levels.

Board. The Board of Elementary and Secondary Education, appointed in accordance with M.G.L. c. 15, § 1E.

Charter School. A public school operated under a charter granted by the Board pursuant to M.G.L. c. 71, § 89 and 603 CMR 1.00: *Charter Schools*.

Chronically Underperforming District. The designation given to a district by the Board of Elementary and Secondary Education in accordance with M.G.L. c. 69, § 1K.

Chronically Underperforming School. The designation given to an underperforming school by the commissioner in accordance with M.G.L. c. 69, § 1J (l).

Commissioner. The commissioner of elementary and secondary education, appointed in accordance with M.G.L. c. 15, § 1F, or his or her designee.

2.02: continued

Commonwealth of Massachusetts Virtual School. A public school operated under a certificate granted by the commissioner pursuant to M.G.L. c. 71, § 94 and 603 CMR 52.00: *Commonwealth of Massachusetts Virtual Schools*.

Core Subjects. The subjects specified in M.G.L. c. 69, § 1D (science, technology, and mathematics, history and social science, English, foreign languages and the arts) and subjects covered in courses that are part of an approved vocational-technical education program under M.G.L. c. 74.

Criterion-referenced Measure. The measure used to report a district's, school's, or subgroup's performance against targets, set by the Department, for each accountability indicator. At the district and school level, the criterion-referenced measure shall combine the results from all students in the district or school and the results from the lowest performing students in the district or school.

Department. The Department of Elementary and Secondary Education acting through the commissioner or his or her designee.

District Analysis and Review Tool or DART. An electronic interface, using graphics and showing trends, of a sampling of relevant data kept by the Department or submitted to the Department by districts over time in areas including, but not limited to, district and school demographics, access, performance, educator licensure and turnover, student support, and educational resources.

District Improvement Plan. The comprehensive, three-year improvement plan each district is required to develop under M.G.L. c. 69, § 1I.

District Indicators. The detailed performance indicators associated with the district standards and developed by the Department.

District or School District. A municipal school department or regional school district, acting through its school committee or superintendent of schools, or a county agricultural school, acting through its board of trustees or superintendent/director. For the purposes of 603 CMR 2.00, it shall not mean a charter school or a Commonwealth of Massachusetts virtual school.

District Review. A school district audit conducted by the Department under M.G.L. c. 15, § 55A, in accordance with a process and protocol established by the commissioner on behalf of the Board pursuant to M.G.L. c. 69, § 1B, and based on published district standards and indicators.

District Review Report. The report of a district review by a district review team, as required by M.G.L. c. 15, § 55A.

District Review Team. A group of individuals appointed by the Department, pursuant to M.G.L. c. 15, § 55A, to conduct a district review.

District Standards. The standards developed and published by the Department pursuant to 603 CMR 2.03(6)(a) and (b) that are the basis for district reviews.

ESEA. The Elementary and Secondary Education Act, 20 U.S.C. 6301 *et seq.*, reauthorized in 2015 as the Every Student Succeeds Act.

Follow-up Review. A review conducted following a district review to gather further information, to be used for such purposes as determining whether an underperforming district should be reclassified as chronically underperforming or whether a school or district should be removed from underperforming or chronically underperforming status.

Follow-up Review Report. The report of a follow-up review.

2.02: continued

Formative Assessment. Assessment questions, tools, and processes that are embedded in instruction and are used by teachers and students to provide timely feedback for purposes of adjusting instruction to improve learning.

Framework for District Accountability and Assistance. The system for district and school accountability and assistance developed by the Department in consultation with the Board's advisory council on school and district accountability and assistance, approved by the Board, and implemented by the Department pursuant to 603 CMR 2.03(1).

Lowest Performing Students. The group of students who, when considering achievement on the English language arts and mathematics MCAS assessments, are among the lowest performing students in the district or school.

Mathematics Content Assessment. A diagnostic assessment of mathematics content knowledge approved by the Department that mathematics teachers at an underperforming or chronically underperforming school may be required to take, at no cost to the district or the teacher for the assessment instrument or its scoring.

Mathematics Teacher. Any educator who teaches mathematics in a Massachusetts public school.

MCAS. The Massachusetts Comprehensive Assessment System, provided for in M.G.L. c. 69, § 1I.

Performance. Results or outcomes across multiple measures, including, but not limited to, achievement and student growth.

Receiver shall:

- (a) for a district, mean a non-profit entity or an individual with a demonstrated record of success in improving low-performing schools or districts or the academic performance of disadvantaged students, appointed by the commissioner on behalf of the Board for a district designated as chronically underperforming, pursuant to M.G.L. c. 69, § 1K(a), and 603 CMR 2.06(3); and
- (b) for a school, mean a non-profit entity or an individual with a demonstrated record of success in improving low-performing schools or the academic performance of disadvantaged students, appointed for a school designated as underperforming by the superintendent pursuant to M.G.L. c. 69, § 1J(h) and 603 CMR 2.05(7) and for a school designated as chronically underperforming by the commissioner pursuant to M.G.L. c. 69, § 1J(r), (v), or (w) and 603 CMR 2.06(5).

School. A single public school which operates under the direct administration of a principal, director, or school leader appointed by the school district or board of trustees responsible for its governance.

School Improvement Plan. The plan for improved student performance each school is required to develop annually under M.G.L. c. 69, § 1I.

Student Growth. A measure of how much a student's achievement has improved from one year to the next.

Subgroup. One of the groups of students for which the Department issues annual performance determinations including, but not limited to, students with disabilities, English learners, economically disadvantaged students, and students belonging to major racial and ethnic groups.

Subgroup Percentile. The measure used to report each subgroup's relative standing compared to like subgroups statewide. The subgroup percentile shall be calculated by ranking data from all available accountability indicators for each subgroup and combining them into a single, final percentile value, from one to 99.

2.02: continued

Turnaround Plan. The plan to improve student achievement in an underperforming or chronically underperforming school or a chronically underperforming district that may serve as the School Improvement Plan or District Improvement Plan.

Underperforming District. The designation given to a district by the Board of Elementary and Secondary Education in accordance with 603 CMR 2.05(1).

Underperforming District Plan. A plan for improvement a district designated as underperforming is required to develop and implement pursuant to 603 CMR 2.05(8)(b), (c), and (d).

Underperforming School. The designation given to a school by the commissioner in accordance with M.G.L. c. 69, § 1J.

2.03: Accountability and Assistance for All Districts and Schools

(1) Framework for District and School Accountability and Assistance. The Department shall implement a system for district and school accountability and assistance, approved by the Board and known as the framework for district and school accountability and assistance, for the purpose of improving student performance. Both the priority for assistance and the degree of intervention shall increase as the severity and duration of low performance increase. Under the framework, districts shall hold their schools accountable for educating their students well and assist them in doing so; the Department shall hold districts accountable for both of these functions and assist them in fulfilling them.

(2) Reported Measures. Each year, the Department will report:

- (a) An accountability percentile, representing each school's overall relative standing compared to other schools in the state;
- (b) A criterion-referenced measure of performance against targets, set by the Department, for each accountability indicator, for:
 - 1. Each district or school as a whole, by using data from all students in the district or school and data from the lowest performing students in each district or school; and
 - 2. Each subgroup for which there is sufficient data;
- (c) A subgroup percentile, representing each subgroup's relative standing compared to like subgroups in other schools statewide;
- (d) For each district, school, and subgroup that meets the minimum group size requirement for reporting:
 - 1. Assessment participation rates; and
 - 2. Whether the district, school, or subgroup met the participation rate requirements established by the Department;
- (e) Information related to each school's need for required assistance or intervention; and
- (f) Information related to schools that demonstrate exemplary performance, as determined by the commissioner.

(3) Annual Performance Determinations. Each year, the Department will issue annual performance determinations for all public districts and schools, using the framework developed by the Department and approved by the Board.

- (a) Annual performance determinations for districts include:
 - 1. Districts in need of required assistance or intervention, for districts that:
 - a. Are in need of broad or comprehensive support, if designated underperforming according to 603 CMR 2.05(1) or designated chronically underperforming according to 603 CMR 2.06(1);
 - b. Are in need of focused or targeted support due to:
 - i. Low graduation rates, as defined by the federal Every Student Succeeds Act; or
 - ii. Low assessment participation rates, as defined by framework for district and school accountability and assistance.

2.03: continued

2. Districts not requiring assistance or intervention, for districts that do not meet any of the criteria in 603 CMR 2.03(3)(a)1. Annual performance determinations for districts not requiring assistance or intervention will be reported as the degree to which each district has met targets, based on the criterion-referenced measure in 603 CMR 2.03(2)(b)1.
- (b) Annual performance determinations for schools include:
 1. Schools in need of required assistance or intervention, for schools that:
 - a. Are in need of broad or comprehensive support, if designated underperforming according to 603 CMR 2.05(2) or designated chronically underperforming according to 603 CMR 2.06(2);
 - b. Are in need of focused or targeted support due to:
 - i. Their placement among the lowest performing 10% of schools statewide, based on the accountability percentile described in 603 CMR 2.03(2)(a);
 - ii. The presence of one or more low performing subgroups, using the relative measure described in 603 CMR 2.03(2)(c);
 - iii. Low graduation rates, as defined by the federal Every Student Succeeds Act; or
 - iv. Low assessment participation rates, as defined by the framework for district and school accountability and assistance.
 2. Schools not requiring assistance or intervention, for schools that do not meet any of the criteria in 603 CMR 2.03(3)(b)1. Annual performance determinations for schools not requiring assistance or intervention will be reported as the degree to which each school has met targets, based on the criterion-referenced measure in 603 CMR 2.03(2)(b)1.
- (4) District Reviews. The Department may conduct a district review, encompassing the district and its schools, of any district.
- (5) District Analysis and Review Tool. The Department shall provide the District Analysis and Review Tool to every district, including multiple data elements, giving schools the capability of comparing themselves with similar schools or other schools of their choice, and giving districts the capability of comparing themselves with similar districts or other districts of their choice.
- (6) District Standards and Indicators.
 - (a) District reviews, improvement planning, and other forms of accountability and assistance shall be based on standards of effective policy and practice in:
 1. Leadership and governance;
 2. Curriculum and instruction;
 3. Assessment;
 4. Human resources and professional development;
 5. Student support; and
 6. Financial and asset management.
 - (b) The Department shall publish a detailed version of the standards and associated indicators, which shall be informed by research-based practices identified as characteristic of schools that have experienced rapid improvements in student outcomes.
- (7) District Improvement Planning. Every district shall develop and implement an annual self-evaluation and district improvement planning process.
 - (a) The district's self-evaluation and planning process shall result, every three years, in a comprehensive written three-year District Improvement Plan to improve the performance of the district and its schools.
 - (b) Each year, every school shall adopt school performance goals and develop and implement a written School Improvement Plan to advance those goals and improve student performance. The School Improvement Plan shall be aligned with the District Improvement Plan.
 - (c) A district's District Improvement Plan and School Improvement Plans shall be based on an analysis of data including, but not limited to, data on student performance and the District Analysis and Review Tool provided by the Department under 603 CMR 2.03(5), and an assessment of actions the district and its schools must take to improve that performance.
 - (d) District Improvement Plans and School Improvement Plans shall, in form and content, conform to requirements set forth in M.G.L. c. 69, § 1I.

2.03: continued

(8) Assistance from the Department.

(a) The Department shall make available a variety of forms of assistance, such as examples, tools, templates, protocols, and surveys to assist districts and schools in assessing themselves and improving student performance.

(b) The Department shall also make available to districts, to the extent funding allows, professional development opportunities and assistance from Department staff members, Department contractors, or third party partners. Priority for receiving professional development or assistance, as well as the degree of intervention by the Department, shall be based on the annual performance determination by the Department of the district or one or more of its schools.

(9) Annual Report to Board. The Department shall report annually to the Board on district and school accountability results.

(10) Notice and Consultation. The Department shall solicit public comment on proposed changes to the framework for district and school accountability and assistance, including changes to the indicators or the weighting of indicators in the framework. After considering the public comment, the commissioner will forward a recommendation for any proposed changes to the Board for approval.

2.04: Self-assessments for Districts and Schools Requiring Assistance or Intervention

(1) Self-assessment by Districts with Schools Requiring Assistance or Intervention. A district with one or more schools requiring assistance or intervention according to 603 CMR 2.03(3)(b) shall use a process approved by the Department to complete a self-assessment and shall address the needs identified by the self-assessment by revising its District Improvement Plan and School Improvement Plans.

(2) Self-assessment by Districts Requiring Assistance or Intervention. A district identified as requiring assistance or intervention according to 603 CMR 2.03(3)(a) shall use a process approved by the Department to complete a self-assessment and shall address the needs identified by the self-assessment by revising its District Improvement Plan and, if needed, its School Improvement Plans.

2.05: Accountability and Assistance for Underperforming Districts and Schools

(1) Designating Districts as Underperforming. The Board may designate a district as underperforming upon recommendation of the commissioner based on findings from a district review, monitoring report, or follow-up review showing serious deficiencies, relating to one or more district standards, that are likely if they are not addressed effectively and in a timely manner to have a substantial negative effect on student performance in the district, putting the district at risk of being designated as chronically underperforming.

(2) Designating Schools as Underperforming.

(a) A school shall be eligible for designation as underperforming if it scores in the lowest 20% statewide of schools serving common grade levels on a single measure developed by the Department that takes into account at least:

1. school MCAS achievement in English language arts, mathematics, and science; and
2. student growth in English language arts and mathematics.

(b) The commissioner may designate a school as underperforming on the basis of quantitative data including, but not limited to:

1. school MCAS achievement in English language arts, mathematics, and science;
2. change in school MCAS achievement;
3. annual student growth on MCAS for students at the school as compared with peers across the Commonwealth;
4. in the case of high schools, graduation and dropout rates; or

2.05: continued

5. other indicators of school performance including student attendance, dismissal, suspension, exclusion, and promotion rates upon the determination of each indicator's reliability and validity, or lack of demonstrated significant improvement for two or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based on special education, economically disadvantaged, English learner status, and racial classifications; or on the basis of information from a school or district review performed under M.G.L. c. 15, § 55A.
 - (c) Charter schools and Commonwealth of Massachusetts virtual schools shall not be eligible for designation as underperforming schools. Charter schools shall also be held accountable under the provisions of M.G.L. c. 71, § 89, and 603 CMR 1.00: *Charter Schools*. Commonwealth of Massachusetts virtual schools shall also be held accountable under the provisions of M.G.L. c. 71, § 94, and 603 CMR 52.00: *Commonwealth of Massachusetts Virtual Schools*.
 - (d) Not more than 4% of the total number of public schools may be designated as underperforming or chronically underperforming, taken together, at any given time.
- (3) Notification. The Department shall notify districts in which any school is designated as underperforming. The notification shall be made to the school committee, superintendent, and local teachers' union or association president, and the principal and the parent organization of any school designated as underperforming.
- (4) Appointment of Assistance and Accountability Personnel. Upon designating a district as underperforming, the Department may make any or all of the following appointments:
- (a) an assistance lead:
 1. to support the district in developing and carrying out a turnaround plan for each of its underperforming schools, if any; and
 2. to support the district in district improvement planning pursuant to 603 CMR 2.05(8), if required;
 - (b) an accountability monitor to determine and report on:
 1. whether the goals, benchmarks, and timetable in the turnaround plan for each of the district's underperforming schools, if any, are being met; and
 2. if the district has an Underperforming District Plan pursuant to 603 CMR 2.08(c), whether its goals, benchmarks, and timetable are being met; and
 - (c) an individual or team to conduct monitoring site visits to the district or its schools.
- (5) Turnaround Plans for Underperforming Schools.
- (a) The turnaround plan developed for each school designated as underperforming shall:
 1. be authorized, pursuant to M.G.L. c. 69, § 1J(j), for a period of up to three years, and remain in effect until the statutory process to develop any new, modified, or renewed turnaround plan has been completed, or the school has been removed from underperforming status;
 2. fulfill the other requirements of M.G.L. c. 69, § 1J;
 3. provide for the implementation of the standards and indicators published pursuant to 603 CMR 2.03(6)(a) and (b);
 4. include benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1J, and the standards and indicators, and a timetable for achieving those benchmarks;
 5. include descriptions of the assistance to be provided by the Department in support of the action steps in the plan, as agreed on by the Department and the superintendent, subject to the availability of resources for the Department to provide the assistance; and
 6. be prepared on a format provided by the Department.
 - (b) Once the superintendent has received the recommendations of the local stakeholder group under M.G.L. c. 69, § 1J(b), the superintendent may request that the school committee and any union bargain or reopen the bargaining of the relevant collective bargaining agreement, pursuant to M.G.L. c. 69, § 1J(g). If necessary, the 30 days provided by M.G.L. c. 69, § 1J(e) for the superintendent to submit a turnaround plan for modifications to the local stakeholder group, school committee, and commissioner shall be extended, without exceeding the time periods mandated by M.G.L. c. 69, § 1J(g), to provide time for bargaining, ratification, a dispute resolution process, the submission of a decision by the joint resolution committee, or a resolution by the commissioner, pursuant to M.G.L. c. 69, § 1J(g).

2.05: continued

(c) Within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), the commissioner shall review the plan and may, in consultation with the superintendent, propose modifications to the plan if the commissioner determines that

1. such modifications would further promote the rapid academic achievement of students in the school;
2. a component of the plan was included, or a modification under M.G.L. c. 69, § 1J(e) was excluded, on the basis of demonstrably false information or evidence; or
3. the superintendent failed to meet the requirements of M.G.L. c. 69, § 1J(b) to (e).

(d) Within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), the school committee or local union may appeal to the commissioner one or more components of the plan pursuant to M.G.L. c. 69, § 1J(f). Within 30 days of the receipt of such appeal, the commissioner shall decide the appeal and may, in consultation with the superintendent, make one or more modifications to the plan based on the appeal if the commissioner makes any of the determinations in 603 CMR 2.05(5)(c)1. through 3. The commissioner's decision on the appeal shall be final.

(e) Within 30 days of the receipt of the last appeal made under M.G.L. c. 69, § 1J(f) and 603 CMR 2.05(5)(d), or, if no such appeal is received within 30 days of the issuance of the superintendent's final turnaround plan under M.G.L. c. 69, § 1J(e), at the expiration of those 30 days, the commissioner shall return the turnaround plan to the superintendent incorporating any modifications made under 603 CMR 2.05(5)(c) or (d), or both. Such return of the plan to the superintendent shall constitute the commissioner's approval, pursuant to M.G.L. c. 69, § 1J(b), of the plan returned.

(6) Annual Reviews of Underperforming Schools. Superintendents shall use a format provided by the Department for the reviews to be submitted to the commissioner and school committee at least annually pursuant to M.G.L. c. 69, § 1J(k).

(7) Receiver for an Underperforming School.

(a) If the superintendent appoints a receiver for an underperforming school pursuant to M.G.L. c. 69, § 1J(h), the superintendent shall define the scope of the receiver's powers, up to and including all of the powers of the superintendent over the school, including all of the powers granted by M.G.L. c. 69, § 1J. The superintendent may from time to time modify the scope of the receiver's powers based on conditions in the school. The receiver shall report directly to the superintendent.

(b) If the commissioner requires the superintendent to terminate the receiver for an underperforming school pursuant to M.G.L. c. 69, § 1J(k), the superintendent may, with the approval of the commissioner, select and appoint another receiver for the school in accordance with M.G.L. c. 69, § 1J(h) and 603 CMR 2.05(7)(a).

(8) District Improvement Planning for Underperforming Districts.

(a) The turnaround plan developed pursuant to 603 CMR 2.05(5) for any underperforming school shall include, among its provisions pursuant to 603 CMR 2.05(5)(a)3. for the implementation of the standards and indicators, provisions for the improvement of district systems for school support and intervention in accordance with the standards and indicators published pursuant to 603 CMR 2.03(6)(a) and (b).

(b) If a district has been designated as underperforming pursuant to 603 CMR 2.05(1), the Department shall notify the underperforming district that it is required to develop an Underperforming District Plan in order to correct the serious deficiencies identified in the district pursuant to 603 CMR 2.05(1).

(c) Each underperforming district notified by the Department pursuant to 603 CMR 2.05(8)(b) shall develop an Underperforming District Plan that includes goals and benchmarks appropriate to the reasons it has been required to develop an Underperforming District Plan, along with strategies, action steps, and a timetable for achieving those goals and benchmarks. The Underperforming District Plan shall be prepared on a format provided by the Department.

2.05: continued

(d) An underperforming district shall submit any required Underperforming District Plan and any successor Underperforming District Plan for approval by the Department. A district whose Underperforming District Plan is approved by the Department shall receive priority for Department assistance. From year to year, continued priority for Department assistance shall be dependent on the district's success in achieving the goals and benchmarks in the approved Underperforming District Plan or approved successor Underperforming District Plan in accordance with the approved timetable.

(9) Annual Report to Board. The commissioner shall report annually to the Board on the progress made by districts and schools designated as underperforming.

(10) Removal of Underperforming School Designation.

(a) The commissioner shall define, for each underperforming school, the academic and other progress that it must make for it to be removed from underperforming status. Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by;
 - a. an increase in MCAS scores and an increase in student growth;
 - b. (for a high school) a higher graduation rate; and
 - c. (for a high school) a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely; and
2. progress in implementing the standards and indicators published pursuant to 603 CMR 2.03(6)(a) and (b).

(b) The commissioner, in defining the required progress for each school, shall customize it to the particular reasons the school was designated as underperforming, defining it as any or all of the progress in 2.05(10)(a)1. and 2., or any other progress the commissioner determines appropriate.

(c) After consultation with the superintendent, the commissioner shall remove a school from underperforming status when, at any time, the commissioner determines, based on evidence that may include evidence from a report from the accountability monitor appointed pursuant to 603 CMR 2.05(4)(b), a review by the superintendent submitted pursuant to M.G.L. c. 69, § J(k), a review conducted by the commissioner pursuant to M.G.L. c. 69, § 1J(l), or a district review or a follow-up review, that:

1. the school has achieved the academic and other progress defined by the commissioner under 603 CMR 2.05(10)(a) and (b) as necessary to allow it to be removed from underperforming status; and
2. the district has the capacity to continue making progress in improving school performance without the accountability and assistance provided due to the school's designation as underperforming.

(d) At the expiration of the turnaround plan, in conducting a review of the school pursuant to M.G.L. c. 69, § 1J(l), the commissioner shall consider whether the conditions described in 603 CMR 2.05(10)(c)1. and 2. exist. If the commissioner determines that both of these conditions exist, he or she shall remove the school from underperforming status.

(e) Following his or her review, the commissioner will make a determination as to whether the school has improved sufficiently to be removed from underperforming status; maintains its underperforming designation; or is chronically underperforming. The commissioner will make the determination in a reasonable period of time, and in any event within two months following the release of MCAS test results. The commissioner may extend this period of time for good cause.

(f) Notwithstanding the foregoing requirements of 603 CMR 2.05(10), the commissioner may remove from underperforming status any school for which he or she approves a proposal by the district to close the school.

(11) Effect of Removal of School from Underperforming Status; Transitional Period.

(a) Upon the commissioner's removal of a school from underperforming status pursuant to 603 CMR 2.05(10)(c) or (d), the provisions of M.G.L. c. 69, § 1J, for schools designated as underperforming shall no longer apply to it and the employment of any receiver for the school shall end.

2.05: continued

(b) The district and school may continue their relationship with any external partner appointed to advise or assist the superintendent in the implementation of the turnaround plan and may continue to use the turnaround plan in order to continue to improve school performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1J(d), in contravention of any general or special law to the contrary, shall be discontinued unless:

1. no more than one year before the removal of the school from underperforming status, the superintendent proposed to continue such feature of the turnaround plan for a transitional period after the school's removal from underperforming status, supporting this proposal with a written explication of the reasons this continuation is necessary and providing the school committee, the teachers' union or association, and the parent organization for the school with a copy of the proposal and supporting documents; and
2. before removing the school from underperforming status, the commissioner determined, after considering any opposition from the school committee, the teachers' union or association, or the parent organization for the school, that such feature of the turnaround plan would contribute to the continued improvement of the school and should continue after the removal.

The superintendent may propose to continue and the commissioner may allow to continue more than one such feature of the turnaround plan.

(c) Upon making a determination pursuant to 603 CMR 2.05(11)(b)2. that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the school must make for each continuing feature of the plan to be discontinued.

(d) On determination by the commissioner at any time, based on evidence that may include evidence from a school or district review or a follow-up review, that the school has made the progress defined under 603 CMR 2.05(11)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued:

1. such feature shall be discontinued; and
2. any powers granted to the commissioner or Board with respect to the school under M.G.L. c. 69, § 1J, that did not cease on removal of the school from underperforming status shall cease.

(e) Two years after the removal of the school from underperforming status, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the school to determine whether such continuing feature or features should remain in place or be discontinued.

(12) Removal of Underperforming District Designation. A district with an Underperforming District Plan shall be removed from underperforming status by the commissioner when the commissioner determines, based on evidence that may include evidence from a monitoring report or from a follow-up review, that:

- (a) the district has satisfactorily achieved the goals and benchmarks of its Underperforming District Plan; and
- (b) the district has the capacity to continue making progress without the accountability and assistance provided by underperforming status.

2.06: Accountability and Assistance for Chronically Underperforming Districts and Schools

(1) Designating Districts as Chronically Underperforming.

(a) A district shall be eligible for designation as chronically underperforming if it is not a single-school district and it scores in the lowest 10% statewide of districts of the same grade levels on a single measure developed by the Department that takes into account at least:

1. district MCAS achievement in English language arts, mathematics, and science; and
2. student growth in English language arts and mathematics.

(b) The Board may designate an eligible district as chronically underperforming, if the commissioner so recommends, on the basis of one or more of the following:

1. a district review report;
2. a report from an accountability monitor appointed pursuant to 603 CMR 2.05(4)(b);
3. a follow-up review report;

2.06: continued

4. quantitative indicators such as student attendance, dismissal, suspension, exclusion, promotion, graduation, and dropout rates, upon the determination of each indicator's reliability and validity, or lack of demonstrated significant improvement for two or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based on special education, economic disadvantage, English language proficiency, and racial classifications, or annual growth in MCAS performance for students in the district as compared with peers across the Commonwealth; or
 5. the failure of an underperforming district to meet, in a timely manner, the benchmarks or goals in its current Underperforming District Plan as approved by the Department pursuant to 603 CMR 2.05(8)(d).
- (c) Not more than 2.5% of the total number of school districts may be designated as chronically underperforming at any given time.
- (d) Before the commissioner recommends that an eligible district be designated as chronically underperforming, a district review team including at least one member with expertise in the academic achievement of students with limited English proficiency shall conduct a district review to assess and report on the reasons for the district's underperformance and the prospects for improvement, unless the commissioner determines that a new review is unnecessary because a district review conducted within the last year is adequate.
- (e) Before designating a district as chronically underperforming, the Board shall consider the findings of the most recent district review, as well as multiple quantitative indicators of district quality such as those listed in 603 CMR 2.06(1)(b)4.
- (f) School district and municipal officials, including the school committee, as well as the local teachers' union or association president or designee, a representative of the local parent organization, and members of the public, shall have an opportunity to be heard by the Board before final action by the Board to designate the district as chronically underperforming.
- (2) Designating Schools as Chronically Underperforming.
- (a) The commissioner may reclassify an underperforming school as chronically underperforming at the expiration of its turnaround plan if the commissioner determines:
1. that the school has failed to improve as required by the goals, benchmarks, or timetable of the turnaround plan; or
 2. that the school has failed to make significant improvement and that conditions in the district make it unlikely that the school will make significant improvement unless it is designated as chronically underperforming.
- (b) Charter schools and Commonwealth of Massachusetts virtual schools shall not be eligible for designation as chronically underperforming schools. Charter schools shall also be held accountable under the provisions of M.G.L. c. 71, § 89, and 603 CMR 1.00: *Charter Schools*. Commonwealth of Massachusetts virtual schools shall also be held accountable under the provisions of M.G.L. c. 71, § 94, and 603 CMR 52.00: *Commonwealth of Massachusetts Virtual Schools*.
- (c) School, school district, and municipal officials, including the school committee, as well as the local teachers' union or association president or designee, a representative of the school's parent organization, and family members of students at the school, shall have an opportunity to meet with the commissioner or his or her designee before the commissioner designates a school as chronically underperforming.
- (3) Appointment and Powers of Receiver for a Chronically Underperforming District.
- (a) Following the designation of a district as chronically underperforming under 603 CMR 2.06(1)(b), the commissioner, on behalf of the Board, shall appoint a receiver for the district pursuant to M.G.L. c. 69, § 1K(a).
- (b) The receiver shall have the powers provided to the receiver by M.G.L. c. 69, § 1K, including all of the powers of the superintendent and school committee and full managerial and operational control over the district, provided that the district shall remain the employer of record for all other purposes, and provided further that the commissioner may define the scope of the receiver's powers up to those set forth in M.G.L. c. 69, § 1K, based on conditions in the district or its schools. The commissioner may from time to time modify the scope of the receiver's powers based on conditions in the district or its schools.

2.06: continued

(4) Replacement of Receiver for a Chronically Underperforming District. If the commissioner terminates the receiver for a chronically underperforming district pursuant to M.G.L. c. 69, § 1K(h), the commissioner shall appoint another receiver for the district in accordance with M.G.L. c. 69, § 1K(a) and 603 CMR 2.06(3)(b).

(5) Receiver for a Chronically Underperforming School.

(a) A receiver appointed by the commissioner for a chronically underperforming school pursuant to M.G.L. c. 69, § 1J(r), shall have all of the powers that the superintendent previously had over the school and all of the powers granted to a receiver for a chronically underperforming school by M.G.L. c. 69, § 1J. The receiver shall report directly to the commissioner.

(b) If the commissioner terminates the receiver for a chronically underperforming school pursuant to M.G.L. c. 69, § 1J(v), the commissioner may appoint another receiver for the school in accordance with M.G.L. c. 69, § 1J(r) and 603 CMR 2.06(5)(a).

(6) Turnaround Plans for Chronically Underperforming Schools. The turnaround plan developed for each chronically underperforming school shall:

(a) be authorized, pursuant to M.G.L. c. 69, § 1J(t), for a period of up to three years, and remain in effect until the statutory process to develop any new, modified or renewed turnaround plan has been completed, or the school has been removed from chronically underperforming status;

(b) fulfill the other requirements of M.G.L. c. 69, § 1J;

(c) provide for the implementation of the standards and indicators published pursuant to 603 CMR 2.03(6)(a) and (b);

(d) include benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1J, and the standards and indicators, and a timetable for achieving those benchmarks;

(e) include descriptions of the assistance to be provided by the Department in support of the action steps in the plan, subject to the availability of resources for the Department to provide the assistance; and

(f) be prepared on a format developed by the Department.

(7) Turnaround Plans for Chronically Underperforming Districts. The turnaround plan developed for each chronically underperforming district shall:

(a) focus, pursuant to M.G.L. c. 69, § 1K(b), on any chronically underperforming school or schools in the district and, using the most recent district review report as a guide, on any district policies or practices that have contributed to the designation of the school or schools or district as chronically underperforming including, but not limited to, district systems for school support and intervention;

(b) be authorized, pursuant to M.G.L. c. 69, § 1K(f), for a period of up to three years, and remain in effect until the statutory process to develop any new, modified or renewed turnaround plan has been completed, or the district has been removed from chronically underperforming status;

(c) fulfill the other requirements of M.G.L. c. 69, § 1K;

(d) if the district has any underperforming or chronically underperforming schools, provide for the implementation in the district of the systems and processes described in 603 CMR 2.03(6) including, pursuant to M.G.L. c. 69, § 1K, new turnaround plans for any underperforming or chronically underperforming school for which the turnaround plans are deemed inadequate by the receiver.

(e) include, for the district: benchmarks by which to measure progress toward the annual goals included in the plan pursuant to M.G.L. c. 69, § 1K, and a timetable for achieving those benchmarks;

(f) describe the assistance to be provided by the Department in support of the action steps in the plan, subject to the availability of the resources for the Department to provide the assistance; and

(g) be prepared on a format developed by the Department.

2.06: continued

(8) Quarterly Reports for Chronically Underperforming Schools and Districts.

(a) Quarterly reports for chronically underperforming schools, including the review by the commissioner to be submitted at least annually to the superintendent and the school committee, shall be submitted pursuant to M.G.L. c. 69, § 1J(u) and (v) on a format developed by the Department.

(b) Quarterly reports for chronically underperforming districts, including the evaluation by the commissioner to be submitted at least annually to the Board and the school committee, shall be submitted pursuant to M.G.L. c. 69, § 1K(g) and (h) on a format developed by the Department.

(9) Reports to the Board. The commissioner shall report regularly to the Board on the progress made by each chronically underperforming district and school.

(10) Removal of Chronically Underperforming School Designation.

(a) The commissioner shall define for each chronically underperforming school the academic and other progress that it must make for it to be removed from chronically underperforming status. Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by:
 - a. an increase in MCAS scores and an increase in student growth;
 - b. (for a high school) a higher graduation rate; and
 - c. (for a high school) a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely; and
2. progress in implementing the standards and indicators published pursuant to 603 CMR 2.03(6)(a) and (b).

(b) The commissioner, in defining the required progress for each school, shall customize it to the particular reasons the school was designated as chronically underperforming, defining it as any or all of the progress in 603 CMR 2.06(10)(a)1. and 2., or any other progress the commissioner determines appropriate.

(c) The commissioner shall remove a school from chronically underperforming status when, at any time, the commissioner determines, based on evidence that may include a report from the accountability monitor appointed pursuant to 603 CMR 2.05(4)(b), from the school's or district's receiver, if any, from a district review, or from a follow-up review, that:

1. the school has achieved the academic and other progress defined by the commissioner under 603 CMR 2.06(10)(a) and (b) as necessary to allow it to be removed from chronically underperforming status; and
2. the district has the capacity to continue making progress in improving school performance without the accountability and assistance provided due to the school's chronically underperforming designation.

(d) The commissioner may remove a school from chronically underperforming status if the district in which the school resides is designated as chronically underperforming.

(e) At the expiration of the turnaround plan, in conducting a review of the school pursuant to M.G.L. c. 69, § 1J(w), the commissioner shall consider whether the conditions described in 603 CMR 2.06(10)(c)1. and 2. exist. If the commissioner determines that both of these conditions exist, he or she shall remove the school from chronically underperforming status.

(f) Following his or her review, the commissioner will make a determination as to whether the school has improved sufficiently to be removed from chronically underperforming status, or maintains its designation as chronically underperforming. The commissioner will make the determination in a reasonable period of time, and in any event within two months following the release of MCAS test results. The commissioner may extend this period of time for good cause.

(11) Effect of Removal of Chronically Underperforming School Designation; Transitional Period.

(a) Upon the commissioner's removal of a school from chronically underperforming status, the provisions of M.G.L. c. 69, § 1J, for schools designated as chronically underperforming shall no longer apply to it and the employment of any receiver for the school shall end.

2.06: continued

(b) The district and school may continue to use the turnaround plan in order to continue to improve school performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1J(o), in contravention of any general or special law to the contrary shall be discontinued unless the commissioner determined before removing the school from chronically underperforming status that such feature of the turnaround plan would contribute to the continued improvement of the school and should continue for a transitional period after the removal. The commissioner may allow more than one such feature of the turnaround plan to continue.

(c) Upon making a determination pursuant to 603 CMR 2.06(11)(b) that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the school must make for each continuing feature of the plan to be discontinued.

(d) On determination by the commissioner at any time, based on evidence that may include evidence from a school or district review or a follow-up review, that the school has made the progress defined under 603 CMR 2.06(11)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued:

1. such feature shall be discontinued; and
2. any powers granted to the commissioner or Board with respect to the school under M.G.L. c. 69, § 1J, that did not cease on removal of the school from chronically underperforming status shall cease.

(e) Two years after the removal of the school from chronically underperforming status, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the school to determine whether such continuing feature or features should remain in place or be discontinued.

(12) Termination of Receivership and Removal of Chronically Underperforming District Designation.

(a) The commissioner shall define for each chronically underperforming district the academic and other progress that it must make for it to be removed from chronically underperforming status. Such progress may include:

1. an increase in student achievement for three years for students overall and for each subgroup of students, as shown by:
 - a. an increase in MCAS scores and an increase in student growth;
 - b. a higher graduation rate; and
 - c. a measure of postsecondary success, once the Department identifies one that is sufficiently reliable, valid, and timely;
2. the implementation of district systems and practices that meet district standards established under 603 CMR 2.03(6); and
3. progress in implementing in the district's schools the standards and indicators published pursuant to 603 CMR 2.03(6)(a) and (b).

(b) The commissioner, in defining the required progress for the district, shall customize it to the particular reasons the district was designated as chronically underperforming, defining it as any or all of the progress in 603 CMR 2.06(12)(a)1. through 3., or any other progress the commissioner determines appropriate.

(c) The commissioner shall terminate the receivership and remove the district from chronically underperforming status when, at any time, the commissioner determines, based on evidence that may include a report from the district's receiver or a follow-up review, that

1. the district has achieved the academic and other progress defined by the commissioner under 603 CMR 2.06(12)(a) and (b) as necessary to allow it to be removed from chronically underperforming status; and
2. the district has the capacity to continue making progress without the accountability and assistance provided by designation as a chronically underperforming district.

(d) At the expiration of the turnaround plan, in reevaluating the district's chronically underperforming status pursuant to M.G.L. c. 69, § 1K(i), the commissioner shall consider whether the conditions described in 603 CMR 2.06(12)(c)1. and 2. exist. If the commissioner determines that both of these conditions exist, he or she shall terminate the receivership and remove the district from chronically underperforming status.

2.06: continued

(e) Following his or her review, the commissioner will make a determination as to whether the district has improved sufficiently to be removed from chronically underperforming status, or maintains its designation as chronically underperforming. The commissioner will make the determination in a reasonable period of time, and in any event within two months following the release of MCAS test results. The commissioner may extend this period of time for good cause.

(13) Effect of Removal of Chronically Underperforming District Designation; Transitional Period.

(a) Upon the commissioner's removal of a district from chronically underperforming status, the provisions of M.G.L. c. 69, § 1K, for districts designated as chronically underperforming shall no longer apply to it and the employment of the receiver shall end.

(b) The district may continue to use the turnaround plan in order to continue to improve students' academic performance, renewing or revising it as appropriate, provided that any feature of the turnaround plan that was adopted pursuant to M.G.L. c. 69, § 1K(d), in contravention of any general or special law to the contrary shall be discontinued unless the commissioner determined, before removing the district from chronically underperforming status, that such feature of the turnaround plan would contribute to the continued improvement of the district and should continue for a transitional period after the removal. The commissioner may allow more than one such feature of the turnaround plan to continue.

(c) Upon making a determination pursuant to 603 CMR 2.06(13)(b) that such feature or features of the turnaround plan should continue, the commissioner shall define the progress that the district must make for each continuing feature of the plan to be discontinued.

(d) On determination by the commissioner at any time, based on evidence that may include evidence from a district review, a report from the district's receiver, or a follow-up review, that the district has made the progress defined under 603 CMR 2.06(13)(c) as necessary to allow a continuing feature of the turnaround plan to be discontinued:

1. such feature shall be discontinued; and
2. any powers granted to the commissioner or Board with respect to the district under M.G.L. c. 69, § 1K, that did not cease on removal of the district from chronically underperforming status, shall cease.

(e) Two years after the removal of the district from chronically underperforming status, if any of the continuing features of the turnaround plan has yet to be discontinued, the commissioner shall conduct a review of the district to determine whether such continuing feature or features should remain in place or be discontinued.

(14) Petition by School Committee of a Chronically Underperforming District.

(a) When the school committee of a chronically underperforming district petitions the commissioner, pursuant to M.G.L. c. 69, § 1K (i), for either modification of the turnaround plan or elimination of the turnaround plan and termination of the receivership, the commissioner shall decide the petition after considering the following:

1. written arguments and supporting documentation submitted with the petition by the school committee;
2. written arguments and supporting documentation submitted in response to the petition by the receiver; and
3. the report of any follow-up review conducted since the district was designated as chronically underperforming.

(b) If no follow-up review has been conducted within the last year, before the commissioner's receipt of the petition and the commissioner determines that such a review would be useful in deciding on the petition, the commissioner may cause one to be conducted and delay the decision on the petition until 30 days after receiving the follow-up review report, provided that a decision on the petition shall be made within four months of the commissioner's receipt of the petition.

(c) Within 30 days of receiving the commissioner's decision, the school committee may appeal an adverse decision to the Board. The Board shall consider the evidence described in 603 CMR 2.06(14)(a)1. through 3. and may consider other evidence from the school committee, receiver, and commissioner. The decision of the Board shall be made within 60 days of receiving the appeal and shall be final.

(d) Neither the process before the commissioner nor the process before the Board shall be an adjudicatory hearing.

2.06: continued

- (e) No petition for the elimination of the turnaround plan and termination of the receivership shall be granted unless the commissioner or, in the case of an appeal, the Board determines:
 - 1. that the district has achieved the progress defined by the commissioner under 603 CMR 2.06(12)(a) as necessary to allow the district to be removed from chronically underperforming status or that the district has achieved other, comparable or superior progress; and
 - 2. that the district has the capacity to continue making progress without the accountability and assistance provided by designation as chronically underperforming.
- (f) Upon a decision by the commissioner or the Board granting a petition for the elimination of the turnaround plan and termination of the receivership, the receivership shall be terminated and the district removed from chronically underperforming status.

2.07: Mathematics Content Assessments at Underperforming and Chronically Underperforming Schools

- (1) Requirement of Taking a Mathematics Content Assessment. The superintendent or the school's receiver, if any, may require all mathematics teachers at an underperforming school to take a mathematics content assessment approved by the Department. The commissioner or the school's receiver, if any, may require all mathematics teachers at a chronically underperforming school to take a mathematics content assessment approved by the Department. A mathematics teacher shall be required to take a mathematics content assessment pursuant to 603 CMR 2.07(1) no more than once a year.
- (2) Use of Results. Individual results on a mathematics content assessment taken pursuant to 603 CMR 2.07(1) shall be used by the mathematics teacher and the school principal in developing or revising professional development plans, as provided in 603 CMR 44.04(4), and shall be considered by school and district administrators in turnaround planning in the school. These individual results are to be used for diagnostic and turnaround planning purposes only, and individual mathematics teachers' results shall not be considered public records.
- (3) Exceptions.
 - (a) A mathematics teacher who would otherwise be required to take a mathematics content assessment pursuant to 603 CMR 2.07(1) shall not be required to take it if the teacher:
 - 1. has passed the Elementary Mathematics, Middle School Mathematics, or Mathematics test of the Massachusetts Tests for Educator Licensure or has passed or been deemed under 603 CMR 7.14(14)(g) to have passed the Mathematics subtest of the General Curriculum test of the Massachusetts Tests for Educator Licensure; and
 - 2. is appropriately licensed for the mathematics the teacher is teaching.
 - (b) The superintendent or commissioner or the schools receiver, if any, may waive the mathematics content assessment requirement for an individual mathematics teacher based on a finding that the teacher has demonstrated mastery of mathematics or that special circumstances exist that make the assessment requirement inappropriate or immaterial.

REGULATORY AUTHORITY

603 CMR 2.00: M.G.L. c. 69, §§ 1B, 1J, and 1K, and M.G.L. c. 71, § 38G.

MA LAW:
General Law – Part 1, Title
XII, Chapter 69, Section 1J -
2019

General Law - Part I, Title XII, Chapter 69, Section 1J

Wednesday, March 20, 2019 3:08 PM

From: "CEC FIELD" <cecfield@yahoo.com>

To: shrimpentankisdead@yahoo.com

General Laws

[Go Directly to a General Law](#)**Section 1J: Underperforming or chronically underperforming schools; creation and submission of turnaround plan; appointment of receiver; annual review**

Section 1J. (a) The commissioner of elementary and secondary education may, on the basis of student performance data collected pursuant to section 1I, a school or district review performed under section 55A of chapter 15, or regulations adopted by the board of elementary and secondary education, designate 1 or more schools in a school district other than a Horace Mann charter school as underperforming or chronically underperforming. The board shall adopt regulations establishing standards for the commissioner to make such designations on the basis of data collected pursuant to section 1I or information from a school or district review performed under section 55A of chapter 15. Upon the release of the proposed regulations, the board shall file a copy thereof with the clerks of the house of representatives and the senate who shall forward the regulations to the joint committee on education. Within 30 days of the filing, the committee may hold a public hearing and issue a report on the regulations and file the report with the board. The board, pursuant to applicable law, may adopt final regulations making revisions to the proposed regulations as it deems appropriate after consideration of the report and shall forthwith file a copy of the regulations with the chairpersons of the joint committee on education and, not earlier than 30 days of the filing, the board shall file the final regulations with the state secretary. Schools that score in the lowest 20 per cent statewide among schools serving common grade levels on a single measure developed by the department that takes into account student performance data and, beginning on July 1, 2011, improvement in student academic performance, shall be deemed eligible for designation as underperforming or chronically underperforming. Not more than 4 per cent of the total number of public schools may be designated as underperforming or chronically underperforming at any given time.

In adopting regulations allowing the commissioner to designate a school as underperforming or chronically underperforming, the board shall ensure that such regulations take into account multiple indicators of school quality in making determinations regarding underperformance or chronic underperformance, such as student attendance, dismissal rates and exclusion rates, promotion rates, graduation rates or the lack of demonstrated significant improvement for 2 or more consecutive years in core academic subjects, either in the aggregate or among subgroups of students, including designations based special education, low-income, English language proficiency and racial classifications.

Before a school is designated chronically underperforming by the commissioner, a school must be designated underperforming and fail to improve.

An underperforming or chronically underperforming school described in the following subsections shall operate in accordance with laws regulating other public schools, except as such provisions may conflict with this section or any turnaround plans created thereunder. A student who is enrolled in a school at the time it is designated as underperforming or chronically underperforming shall retain the ability to remain enrolled in the school while remaining a resident of the district if the student chooses to do so.

(b) Upon the designation of a school as an underperforming school in accordance with regulations developed pursuant to this section, the superintendent of the district, with approval by the commissioner, shall create a turnaround plan for the school, under subsections (b) to (e), inclusive. The commissioner may allow for an expedited turnaround plan for schools that have been previously designated as underperforming and where the district has a turnaround plan that has had a public comment period and approval of the local school committee.

Before the superintendent creates the turnaround plan required in this subsection, the superintendent shall convene a local stakeholder group of not more than 13 individuals, for the purpose of soliciting recommendations on the content of such plan to maximize the rapid academic achievement of students at the school. The superintendent shall provide due consideration to the recommendations of the stakeholder group. The group shall include: (1) the commissioner, or a designee; (2) the chair of the school committee, or a designee; (3) the president of the local teacher's union, or a designee; (4) an administrator from the school, who may be the principal, chosen by the superintendent; (5) a teacher from the school chosen by the faculty of the school; (6) a parent from the school chosen by the local parent organization; (7) representatives of applicable state and local social service, health and child welfare agencies, chosen by the superintendent; (8) as appropriate, representatives of state and local workforce development agencies, chosen by the superintendent; (9) for elementary schools, a representative of an early education and care provider chosen by the commissioner of the department of early education and care and, for middle schools or high schools, a representative of the higher education community selected by the secretary; and (10) a member of the community appointed by the chief executive of the city or town. If the school or district does not have a parent organization or if the organization does not select a parent, the superintendent shall select a volunteer parent of a student from the school. The superintendent shall convene such group within 30 days of the commissioner designating a school as underperforming and the group shall make its recommendations to the superintendent within 45 days of its initial meeting. Meetings of the local stakeholder group shall be open to the public and the recommendations submitted to the superintendent under this subsection shall be publicly available immediately upon their submission.

(c) In creating the turnaround plan in subsection (b) the superintendent shall include, after considering the recommendations of the local stakeholder group, provisions intended to maximize the rapid academic achievement of students at the school and shall, to the extent practicable, base the plan on student outcome data, including, but not limited to: (1) data collected pursuant to section 1I or information from a school or district review performed under section 55A of chapter 15; (2) student achievement on the Massachusetts Comprehensive Assessment System; (3) other measures of student achievement, approved by the commissioner; (4) student promotion and graduation rates; (5) achievement data for different subgroups of students, including low-income students as defined in chapter 70, limited English-proficient students and students receiving special education; and (6) student attendance, dismissal rates and exclusion rates.

The superintendent shall also include in the creation of the turnaround plan, after considering the recommendations of the local stakeholder group, the following: (1) steps to address social service and health needs of students at the school and their families, to help students arrive and remain at school ready to learn; provided, however, that this may include mental health and substance abuse screening; (2) steps to improve or expand child welfare services and, as appropriate, law enforcement services in the school community, in order to promote a safe and secure learning environment; (3) steps to improve workforce development services provided to students and their families at the school, to provide students and families with meaningful employment skills and opportunities; (4) steps to address achievement gaps for limited English-proficient, special education and low-income students; and (5) alternative English language learning programs for limited English proficient students, notwithstanding chapter 71A; and (6) a financial plan for the school, including any additional funds to be provided by the district, commonwealth, federal government or other sources.

The secretaries of health and human services, labor and workforce development, public safety and other applicable state and local social service, health and child welfare officials shall coordinate with the superintendent regarding the implementation of strategies under clauses (1) to (3), inclusive, of the second paragraph that are included in a final turnaround plan and shall, subject to appropriation, reasonably support such implementation consistent with the requirements of state and federal law applicable to the relevant programs that each such official is responsible for administering. The secretary of education and the commissioner of elementary and secondary education shall assist the superintendent in facilitating the coordination.

To assess the school across multiple measures of school performance and student success, the turnaround plan shall include measurable annual goals

including, but not limited to: (1) student attendance, dismissal rates and exclusion rates; (2) student safety and discipline; (3) student promotion and graduation and dropout rates; (4) student achievement on the Massachusetts Comprehensive Assessment System; (5) progress in areas of academic underperformance; (6) progress among subgroups of students, including low-income students as defined by chapter 70, limited English-proficient students and students receiving special education; (7) reduction of achievement gaps among different groups of students; (8) student acquisition and mastery of twenty-first century skills; (9) development of college readiness, including at the elementary and middle school levels; (10) parent and family engagement; (11) building a culture of academic success among students; (12) building a culture of student support and success among school faculty and staff and; (13) developmentally appropriate child assessments from pre-kindergarten through third grade, if applicable.

(d) Notwithstanding any general or special law to the contrary, in creating the turnaround plan required in subsection (b), the superintendent may, after considering the recommendations of the group of stakeholders: (1) expand, alter or replace the curriculum and program offerings of the school, including the implementation of research-based early literacy programs, early interventions for struggling readers and the teaching of advanced placement courses or other rigorous nationally or internationally recognized courses, if the school does not already have such programs or courses; (2) reallocate the uses of the existing budget of the school; (3) provide additional funds to the school from the budget of the district, if the school does not already receive funding from the district at least equal to the average per pupil funding received for students of the same classification and grade level in the district; (4) provide funds, subject to appropriation and following consultation with applicable local unions, to increase the salary of any administrator, or teacher in the school, to attract or retain highly-qualified administrators, or teachers or to reward administrators, or teachers who work in underperforming schools that achieve the annual goals set forth in the turnaround plan; (5) expand the school day or school year or both of the school; (6) for an elementary school, add pre-kindergarten and full-day kindergarten classes, if the school does not already have such classes; (7) following consultation with applicable local unions, require the principal and all administrators, teachers and staff to reapply for their positions in the school, with full discretion vested in the superintendent regarding his consideration of and decisions on rehiring based on the reapplications. (8) limit, suspend or change 1 or more provisions of any contract or collective bargaining agreement, as the contract or agreement applies to the school; provided, that the superintendent shall not reduce the compensation of an administrator, teacher or staff member unless the hours of the person are proportionately reduced; (9) limit, suspend or change 1 or more school district policies or practices, as such policies or practices relate to the school; (10) include a provision of job-embedded professional development for teachers at the school, with an emphasis on strategies that involve teacher input and feedback; (11) provide for increased opportunities for teacher planning time and collaboration focused on improving student instruction; (12) establish a plan for professional development for administrators at the school, with an emphasis on strategies that develop leadership skills and use the principles of distributive leadership; (13) establish steps to assure a continuum of high-expertise teachers by aligning the following processes with a common core of professional knowledge and skill: hiring, induction, teacher evaluation, professional development, teacher advancement, school culture and organizational structure; (14) develop a strategy to search for and study best practices in areas of demonstrated deficiency in the school; (15) establish strategies to address mobility and transiency among the student population of the school; and (16) include additional components based on the reasons why the school was designated as underperforming and the recommendations of the group of stakeholders in subsection (b).

If the superintendent does not approve a reapplication submitted by an employee pursuant to clause (7) for a position in the school or if an employee does not submit a reapplication for a position in the school, the employee shall retain such rights as may be provided under law or any applicable collective bargaining agreement in relation to the employee's ability to fill another position in the district; provided, however, that the employee shall not have the right to displace any teacher with professional teacher status in any other school during a school year.

A teacher with professional teacher status in a school declared underperforming or chronically underperforming may be dismissed for good cause; provided, however, that the teacher receives 5 days written notice of the decision to terminate which shall include, without limitation, an explanation of the reason why the superintendent is not retaining the teacher in the school; provided, further, that the teacher may seek review of a termination decision within 5 days after receiving notice of the teacher's termination by filing a petition for expedited arbitration with the commissioner; provided, further, that except as otherwise provided herein section 42 of chapter 71 shall apply to a petition filed pursuant to this section; provided, further, that the commissioner shall cause an arbitrator to be selected pursuant to the procedures in section 42 of chapter 71 within 3 days of receipt of petition and shall conduct and complete a hearing within 10 days of receipt of the petition; provided, further, that in reviewing dismissal decisions, the arbitrator shall consider the components of the turnaround plan and shall also consider any personnel evaluations conducted that are consistent with the guidelines established pursuant to section 1B; and provided, further, that the arbitrator's decision shall be issued within 10 days from the completion of the hearing.

For a school with limited English-proficient students, the professional development and planning time for teachers and administrators identified in clauses (10) to (12), inclusive, shall include specific strategies and content designed to maximize the rapid academic achievement of limited English-proficient students at the school.

(e) Within 30 days of the local stakeholder group making recommendations under subsection (b), the superintendent shall submit a turnaround plan to the local stakeholder group, the school committee and the commissioner, all of whom may propose modifications to the plan. The superintendent shall make such plan immediately available to the public upon the submission. The stakeholder group, the school committee and the commissioner shall submit any proposed modifications to the superintendent not more than 30 days after the date of submission of the turnaround plan and the proposed modifications shall be made public immediately upon their submission to the superintendent. The superintendent shall consider and may incorporate the modifications into the plan if the superintendent determines that inclusion of the modifications would further promote the rapid academic achievement of students at the school or may alter or reject the proposed modifications submitted under this subsection. Within 30 days of receiving any proposed modifications under this subsection, the superintendent shall issue a final turnaround plan for the school and the plan shall be made publicly available.

(f) Within 30 days of the issuance of a final turnaround plan under subsection (e) a school committee or local union may appeal to the commissioner regarding 1 or more components of the plan, including the absence of 1 or more modifications proposed under subsection (e). The commissioner may, in consultation with the superintendent, modify the plan if the commissioner determines that: (1) such modifications would further promote the rapid academic achievement of students in the applicable school; (2) a component of the plan was included, or a modification was excluded, on the basis of demonstrably-false information or evidence; or (3) the superintendent failed to meet the requirements of subsections (b) to (e), inclusive. The decision of the commissioner regarding an appeal under this subsection shall be made within 30 days and shall be final.

(g) If, after considering the recommendations of the group of stakeholders, the superintendent considers it necessary to maximize the rapid academic achievement of students at the applicable school by altering the compensation, hours and working conditions of the administrators, teachers, principal and staff at the school or by altering other provisions of a contract or collective bargaining agreement applicable to the administrators, teachers, principal and staff, the superintendent may request that the school committee and any union bargain or reopen the bargaining of the relevant collective bargaining agreement to facilitate such achievement. The bargaining shall be conducted in good faith and completed not later than 30 days from the point at which the superintendent requested that the parties bargain. The agreement shall be subject to ratification within 10 business days by the bargaining unit members in the school. If the parties are unable to reach an agreement within 30 days or if the agreement is not ratified within 10 business days by the bargaining unit members of the school, the parties shall submit remaining unresolved issues a joint resolution committee for dispute resolution process on the next business day following the end of the 30-day bargaining period or failure to ratify.

The joint resolution committee shall be comprised of 3 members, 1 of whom shall be appointed by the employee organization within 3 business days following the submission of unresolved issues to the joint resolution committee, 1 of whom shall be appointed by the school committee within 3 business days following the submission of unresolved issues to the joint resolution committee and 1 who shall be selected through the American Arbitration Association who shall forthwith forward to the parties a list of 3 conciliators, each of whom shall have professional experience in elementary and secondary education, from which the parties may agree upon a single conciliator provided, however, that if the parties cannot select a conciliator from among the 3 within 3 business days, the American Arbitration Association shall select a conciliator from the remaining names. The joint resolution committee shall conduct a dispute resolution process to be concluded within 10 business days of selection. This process shall be conducted in accordance with the rules of the American Arbitration Association and consistent with this section. The fee for the process shall be shared equally between the 2 parties involved.

The joint resolution committee shall consider the positions of the parties, the designation of the school as underperforming and the needs of the students in

the school. Notwithstanding any other provision of this chapter, the decision of the joint resolution committee shall be dispositive of all the issues in dispute and shall be submitted to the parties within 10 business days of the completion of the process. Under no circumstance, shall a time extension be granted beyond 10 business days of the completion of the process. If a decision is not submitted to the parties within 10 business days, the commissioner will resolve all outstanding issues.

(h) The superintendent may select an external receiver to operate the school and implement the turnaround plan or to assist the superintendent with the implementation. The superintendent may appoint the receiver if the superintendent determines that conditions exist in the district that are likely to negatively affect his ability to implement the plan successfully. A school committee may appeal to the commissioner the decision of the superintendent to appoint an external receiver. The commissioner may reverse such decision only if he determines that the superintendent made the decision on the basis of demonstrably false information or evidence. A receiver shall be a non-profit entity or an individual with a demonstrated record of success in improving low-performing schools or the academic performance of disadvantaged students. A receiver shall be subject to section 11A1/2 of chapter 30A and chapter 66. A receiver who is an individual shall also be subject to chapter 268A.

(i) An external receiver selected by the superintendent to operate a school shall have full managerial and operational control over the school as provided in the turnaround plan. For all other purposes, the school district in which the school is located shall remain the employer of record.

(j) Each turnaround plan shall be authorized for a period of not more than 3 years, subject to subsection (k). The superintendent or external receiver, as applicable, may develop additional components of the turnaround plan pursuant to subsections (b) to (g) inclusive and shall develop annual goals for each component of the plan, in a manner consistent with subsections (b) to (g), inclusive. The superintendent or external receiver, as applicable, shall be responsible for meeting the goals of the plan.

(k) Each school designated by the commissioner as underperforming under subsection (a) shall be reviewed by the superintendent, in consultation with the principal of the school, at least annually. The purpose of the review shall be to determine whether the school has met the annual goals in its turnaround plan and to assess the overall implementation of the turnaround plan. The review shall be in writing and shall be submitted to the commissioner and the relevant school committee not later than July 1 for the preceding school year. The review shall be submitted in a format determined by the department of elementary and secondary education.

If the commissioner determines that the school has met the annual performance goals stated in the turnaround plan, the review shall be considered sufficient and the implementation of the turnaround plan shall continue. If the commissioner determines that the school has not met 1 or more goals in the turnaround plan and that the failure to meet the goals may be corrected through reasonable modification of the plan, the superintendent may amend the turnaround plan in a manner consistent with the provisions of subsection (b) to (g) inclusive. If the commissioner determines that the school has substantially failed to meet 1 or more goals in the plan, the commissioner may appoint an examiner to conduct an evaluation of the school's implementation of the turnaround plan.

If the commissioner determines that the school has substantially failed to meet multiple goals in the plan, the commissioner may require changes to the turnaround plan to be implemented by the superintendent in the following year or the appointment of an external partner to advise and assist the superintendent in implementing the plan the following year. If the changes to the turnaround plan require changes in a collective bargaining agreement applicable to administrators, teachers or staff in the school, the bargaining procedure in subsection (g) shall be used. If an underperforming school is operated by an external receiver, the commissioner may require the superintendent to terminate the receiver and develop a new turnaround plan; provided, however, that the superintendent shall not terminate the receiver before the completion of the first full school year of the operation of the underperforming school.

(l) Upon the expiration of a turnaround plan, the commissioner shall conduct a review of the school to determine whether the school has improved sufficiently, requires further improvement or has failed to improve. On the basis of such review, the commissioner may determine that: (1) the school has improved sufficiently for the designation of the school as underperforming to be removed; (2) the school has improved, but the school remains underperforming, in which case the superintendent may, with the approval of the commissioner, renew the plan or create a new or modified plan for an additional period of not more than 3 years, consistent with the requirements of subsections (a) to (g); or (3) consistent with the requirements of subsection (a), the school is chronically underperforming. The commissioner may recommend the appointment of an external receiver by the superintendent if the commissioner believes that a new or modified turnaround plan implemented by the superintendent will not result in rapid improvement. In carrying out this subsection, the superintendent shall: (1) in the case of a renewal of a turnaround plan, determine subsequent annual goals for each component of the plan with the input of the local stakeholder group as defined in subsection (b); or (2) create a new or modified turnaround plan as necessary, consistent with the requirements of this section.

(m) Upon the designation of a school as a chronically underperforming school in accordance with the regulations developed under this section, the commissioner shall create a turnaround plan for the school under this subsection and subsections (n) to (p), inclusive.

Before creating the turnaround plan required in this subsection, the commissioner shall convene a local stakeholder group of not more than 13 individuals for the purpose of soliciting recommendations on the content of such plan in order to maximize the rapid academic achievement of students. The commissioner shall provide due consideration to the recommendations of the stakeholder group. The group shall include: (1) the superintendent, or a designee; (2) the chair of the school committee, or a designee; (3) the president of the local teacher's union, or a designee; (4) an administrator from the school, who may be the principal, chosen by the superintendent; (5) a teacher from the school chosen by the faculty of the school; (6) a parent from the school chosen by the local parent organization; (7) representatives of applicable state and local social service, health and child welfare agencies, chosen by the commissioner; (8) as appropriate, representatives of state and local workforce development agencies, chosen by the commissioner; (9) for elementary schools, a representative of an early education and care provider chosen by the commissioner of the department of early education and care and, for middle schools or high schools, a representative of the higher education community selected by the secretary of education; and (10) a member of the community appointed by the chief executive of the city or town. If the school or district does not have a parent organization or if the organization does not select a parent, the commissioner shall select a volunteer parent of a student from the school. The commissioner shall convene the group within 30 days of the designation of a school as chronically underperforming and the group shall make its recommendations to the commissioner within 45 days of its initial meeting. Meetings of the local stakeholder group shall be open to the public and the recommendations submitted to the commissioner under this subsection shall be publicly available immediately upon their submission.

(n) In creating the turnaround plan required in subsection (m), the commissioner shall include, after considering the recommendations of the local stakeholder group, provisions intended to maximize the rapid academic achievement of students at the school and shall, to the extent practicable, base the plan on student outcome data, including, but not limited to: (1) data collected under section 1I or information from a school or district review performed under section 55A of chapter 15; (2) student achievement on the Massachusetts Comprehensive Assessment System; (3) other measures of student achievement, approved by the commissioner, as appropriate; (4) student promotion and graduation rates; (5) achievement data for different subgroups of students, including low-income students as defined by chapter 70, limited English-proficient students and students receiving special education; and (6) student attendance, dismissal rates and exclusion rates.

The commissioner shall include in the creation of the turnaround plan, after considering the recommendations of the local stakeholder group, the following: (1) steps to address social service and health needs of students at the school, and their families, in order to help students arrive and remain at school ready to learn; provided, however, that this may include mental health and substance abuse screening; (2) steps to improve or expand child welfare services and, as appropriate, law enforcement services in the school community, in order to promote a safe and secure learning environment; (3) steps to improve workforce development services provided to students at the school, and their families, in order to provide students and families with meaningful employment skills and opportunities; (4) steps to address achievement gaps for limited English-proficient, special education and low-income students; (5) alternative English language learning programs for limited-English proficient students, notwithstanding chapter 71A; and (6) a financial plan for the school, including any additional funds to be provided by the district, commonwealth, federal government or other sources.

The secretaries of health and human services, labor and workforce development, public safety and other applicable state and local social service, health and child welfare officials shall coordinate with the secretary of education and the commissioner regarding the implementation of strategies under clauses (1) to (3), inclusive, of the second paragraph that are included in a final turnaround plan and shall, subject to appropriation, reasonably support the implementation

consistent with the requirements of state and federal law applicable to the relevant programs that each official is responsible for administering.

In order to assess the school across multiple measures of school performance and student success, the turnaround plan shall include measurable annual goals including, but not limited to, the following: (1) student attendance, dismissal rates and exclusion rates; (2) student safety and discipline; (3) student promotion and graduation and dropout rates; (4) student achievement on the Massachusetts Comprehensive Assessment System; (5) progress in areas of academic underperformance; (6) progress among subgroups of students, including low-income students as defined by chapter 70, limited English-proficient students and students receiving special education; (7) reduction of achievement gaps among different groups of students; (8) student acquisition and mastery of 21st-century skills; (9) development of college readiness, including at the elementary and middle school levels; (10) parent and family engagement; (11) building a culture of academic success among students; (12) building a culture of student support and success among school faculty and staff; and (13) developmentally appropriate child assessments from pre-kindergarten through third grade, if applicable.

(o) Notwithstanding any general or special law to the contrary, in creating the turnaround plan required in subsection (m), the commissioner may, after considering the recommendations of the group of stakeholders: (1) expand, alter or replace the curriculum and program offerings of the school, including the implementation of research-based early literacy programs, early interventions for struggling readers and the teaching of advanced placement courses or other rigorous nationally or internationally recognized courses, if the school does not already have such programs or courses; (2) reallocate the uses of the existing budget of the school; (3) provide additional funds to the school from the budget of the district, if the school does not already receive funding from the district at least equal to the average per pupil funding received for students of the same classification and grade level in the district; (4) provide funds, subject to appropriation, to increase the salary of an administrator or teacher in the school, in order to attract or retain highly-qualified administrators or teachers or to reward administrators, or teachers who work in chronically underperforming schools that achieve the annual goals set forth in the turnaround plan; (5) expand the school day or school year or both of the school; (6) for an elementary school, add pre-kindergarten and full-day kindergarten classes, if the school does not already have such classes; (7) limit, suspend, or change 1 or more provisions of any contract or collective bargaining agreement, as the contract or agreement applies to the school; provided, however, that the commissioner shall not reduce the compensation of an administrator, teacher or staff member unless the hours of the person are proportionately reduced; and provided further, that the commissioner may require the school committee and any applicable unions to bargain in good faith for 30 days before exercising authority pursuant to this clause; (8) following consultation with applicable local unions, require the principal and all administrators, teachers and staff to reapply for their positions in the school, with full discretion vested in the superintendent regarding his consideration of and decisions on rehiring based on the reapplications; (9) limit, suspend or change 1 or more school district policies or practices, as such policies or practices relate to the school; (10) include a provision of job-embedded professional development for teachers at the school, with an emphasis on strategies that involve teacher input and feedback; (11) provide for increased opportunities for teacher planning time and collaboration focused on improving student instruction; (12) establish a plan for professional development for administrators at the school, with an emphasis on strategies that develop leadership skills and use the principles of distributive leadership; (13) establish steps to assure a continuum of high expertise teachers by aligning the following processes with the common core of professional knowledge and skill: hiring, induction, teacher evaluation, professional development, teacher advancement, school culture and organizational structure; (14) develop a strategy to search for and study best practices in areas of demonstrated deficiency in the school; (15) establish strategies to address mobility and transiency among the student population of the school; and (16) include additional components, at the discretion of the commissioner, based on the reasons the school was designated as chronically underperforming and the recommendations of the local stakeholder group in subsection (m).

If the commissioner does not approve a reapplication submitted by an employee pursuant to clause (7) for a position in the school or if an employee does not submit a reapplication for a position in the school, the employee shall retain such rights as may be provided under law or any applicable collective bargaining agreement, in relation to the employee's ability to fill another position in the district; provided, however, that the employee shall not have the right to displace any teacher with professional teacher status in any other school during a school year.

A teacher with professional teacher status in a school declared underperforming or chronically underperforming may be dismissed for good cause; provided, however, that the teacher receives 5 days written notice of the decision to terminate which shall include without limitation an explanation of the reason why the commissioner or superintendent is not retaining the teacher in the school; provided, further, that the teacher may seek review of a termination decision within 5 days after receiving notice of the teacher's termination by filing a petition for expedited arbitration with the commissioner; provided further, that except as otherwise provided herein section 42 of chapter 71 shall apply to a petition filed pursuant to this section; provided further, that the commissioner shall cause an arbitrator to be selected pursuant to the procedures in section 42 of chapter 71 within 3 days of receipt of petition and shall conduct and complete a hearing within 10 days of receipt of the petition; provided, further, that in reviewing dismissal decisions, the arbitrator shall consider the components of the turnaround plan and shall also consider any personnel evaluations conducted that are consistent with the guidelines established pursuant to section 1B; and provided, further, that the arbitrator's decision shall be issued within 10 days from the completion of the hearing.

For a school with limited English-proficient students, the professional development and planning time for teachers and administrators identified in clauses (10) to (12), inclusive, shall include specific strategies and content designed to maximize the rapid academic achievement of the limited English-proficient students.

If the commissioner proposes to reallocate funds to the school from the budget of the district under clause (3), the commissioner shall notify the school committee, in writing, of the amount of and rationale for the reallocation.

(p) Within 30 days of the local stakeholder group making recommendations under subsection (m), the commissioner shall submit a turnaround plan to the local stakeholder group, the superintendent and the school committee, all of whom may propose modifications to the plan. The commissioner shall make the plan immediately available to the public upon submission. The stakeholder group, the superintendent and the school committee shall submit any proposed modifications to the commissioner within 30 days after the date of submission of the turnaround plan and the proposed modifications shall be made public immediately upon their submission to the commissioner. The commissioner shall consider and incorporate the modifications into the plan if the commissioner determines that inclusion of the modifications would further promote the rapid academic achievement of students at the applicable school. The commissioner may alter or reject modifications submitted pursuant to this subsection. Within 30 days of receiving any proposed modifications, the commissioner shall issue a final turnaround plan for the school and the plan shall be made publicly available.

(q) Within 30 days of the issuance of a final turnaround plan under subsection (p), a superintendent, school committee or local union may appeal to the board of elementary and secondary education regarding 1 or more components of the plan, including the absence of 1 or more modifications proposed under subsection (p). A majority of the board, may vote to modify the plan if the board determines that: (1) such modifications would further promote the rapid academic achievement of students in the applicable school; (2) a component of the plan was included, or a modification was excluded, on the basis of demonstrably-false information or evidence; or (3) the commissioner failed to meet the requirements of subsections (m) to (p), inclusive. The decision of the board regarding an appeal under this subsection shall be made within 30 days and shall be final.

(r) In the case of a chronically underperforming school, the commissioner may, under the circumstances described in this subsection, send a targeted assistance team to the school to assist the superintendent with the implementation of the turnaround plan, require the superintendent to implement the turnaround plan, or select an external receiver to operate the school and implement the turnaround plan. The commissioner may appoint such receiver if the commissioner determines that: (1) the superintendent is unlikely to implement the plan successfully; or (2) conditions exist in the district that are likely to negatively affect the ability of the superintendent to implement such plan successfully. A receiver shall be a non-profit entity or an individual with a demonstrated record of success in improving low performing schools or the academic performance of disadvantaged students. A receiver shall be subject to section 11A1/2 of chapter 30A and chapter 66. A receiver who is an individual shall also be subject to chapter 268A.

The commissioner may select the external receiver upon the designation of a school as chronically underperforming. The external receiver may serve as the commissioner's designee for the purpose of creating a school's turnaround plan under subsections (m) to (p), inclusive.

(s) An external receiver selected by the commissioner to operate a chronically underperforming school shall have full managerial and operational control over the school as provided in the turnaround plan. For all other purposes, the school district in which the school is located shall remain the employer of record. A receiver for a chronically underperforming school shall not be required by contract to indemnify and hold harmless the commonwealth against any

and all claims, liabilities and costs which arise out of the receiver's performance of its role in the creation or implementation of the turnaround plan. In connection with the performance of its role in the creation or implementation of the turnaround plan, the receiver may: (i) sue and be sued only to the same extent and upon the same conditions that a municipality may be sued; (ii) receive and disburse funds for the chronically underperforming school; and (iii) solicit and accept grants or gifts for the chronically underperforming school.

(t) Each turnaround plan shall be authorized for a period of not more than 3 years, subject to subsection (v). The superintendent or external receiver, as applicable, may develop additional components of the plan and shall develop annual goals for each component of the plan in a manner consistent with subsection (n), all of which must be approved by the commissioner. The superintendent or external receiver, as applicable, shall be responsible for meeting the goals of the turnaround plan.

(u) The commissioner or external receiver, as applicable, shall provide a written report to the school committee on a quarterly basis to provide specific information about the progress being made on the implementation of the school's turnaround plan. One of the quarterly reports shall be the annual evaluation under subsection (v).

(v) The commissioner shall evaluate each chronically underperforming school at least annually. The purpose of the evaluation shall be to determine whether the school has met the annual goals in its turnaround plan and assess the implementation of the plan at the school. The review shall be in writing and shall be submitted to the superintendent and the school committee not later than July 1 for the preceding school year. The review shall be submitted in a format determined by the department of elementary and secondary education.

If the commissioner determines that the school has met the annual performance goals stated in the turnaround plan, the review shall be considered sufficient and the implementation of the turnaround plan shall continue. If the commissioner determines that the school has not met 1 or more goals in the plan, the commissioner may modify the plan in a manner consistent with subsection (n).

If the commissioner determines that the school has substantially failed to meet multiple goals in the plan, the commissioner may: (1) if the school is operated by a superintendent, appoint an external receiver, as defined in subsection (r), to operate the school; or (2) if the school is operated by an external receiver terminate the contract of the external receiver; provided, however, that the commissioner shall not terminate the receiver before the completion of the first full school year of the operation of the chronically underperforming school.

(w) Upon the expiration of a turnaround plan for a chronically underperforming school, the commissioner shall conduct a review of the school to determine whether the school has improved sufficiently, requires further improvement or has failed to improve. On the basis of such review, the commissioner may: (1) on the basis of a superintendent's or external receiver's success in meeting the terms of the plan, renew the plan with the superintendent or external receiver for an additional period of not more than 3 years; (2) if a school that is operated by a superintendent and remains chronically underperforming, appoint an external receiver, as defined in subsection (r), to operate the school; (3) if a chronically underperforming school that is operated by an external receiver and remains chronically underperforming, transfer the operation of the school from the receiver to the applicable superintendent or to another external receiver; or (4) determine that the school has improved sufficiently for the designation of chronically underperforming to be removed. The commissioner shall: (1) in the case of a renewal of a turnaround plan, jointly determine subsequent annual goals for each component of the plan with the superintendent or external receiver, as applicable; or (2) create a new or modified turnaround plan as necessary, consistent with the requirements of this section.

(x) Notwithstanding any general or special law to the contrary, any underperforming or chronically underperforming school operating a limited-English proficient program or programs for limited English proficient students in any 1 language group shall establish a limited English proficient parent advisory council. The parent advisory council shall be comprised of parents or legal guardians of students who are enrolled in limited English proficient programs within the school. Each parent advisory council shall have at least 1 representative from every language group in which a program is conducted in a given school. Membership shall be restricted to parents or legal guardians of students enrolled in limited English proficient programs within the school. The duties of the parent advisory council shall include, but not be limited to, advising the school on matters that pertain to the education of students in limited English proficient programs, meeting regularly with school officials to participate in the planning and development of a plan to improve educational opportunities for limited English proficient students, and to participate in the review of school improvement plans established under section 59C of chapter 71 as they pertain to limited English proficient students. Any parent advisory council may, at its request, meet at least once annually with the school council. The parent advisory council shall establish by-laws regarding officers and operational procedures. In the course of its duties under this section, the parent advisory council shall receive assistance from the director of limited English proficient programs for the district or other appropriate school personnel as designated by the superintendent.

(y) The board of elementary and secondary education shall adopt regulations regarding: (1) the conditions under which an underperforming or chronically underperforming school shall no longer be designated as an underperforming or chronically underperforming school; and (2) the transfer of the operation of an underperforming or a chronically underperforming school from a superintendent or an external receiver, as applicable, to the school committee. The regulations shall include provisions to allow a school to retain measures adopted in a turnaround plan for a transitional period if, in the judgment of the commissioner, the measures would contribute to the continued improvement of the school. Such regulations shall also include provisions that clearly identify the conditions under which such a transitional period shall end and the powers granted to the commissioner and board under this section shall cease to apply to a district previously designated as chronically underperforming.

(z) The commissioner shall report annually to the joint committee on education, the house and senate committees on ways and means, the speaker of the house of representatives and the senate president on the implementation and fiscal impact of this section and section 1K. The report shall include, but not be limited to, a list of all schools currently designated as underperforming or chronically underperforming, a list of all districts currently designated as chronically underperforming, the plans and timetable for returning the schools and districts to the local school committee and strategies used in each of the schools and districts to maximize the rapid academic achievement of students.

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APPENDIX 2

MA LAW: S2442 An Act Relative to Innovation Partnership Zones - 2018

SENATE No. 2442

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

SENATE, Thursday, April 19, 2018

The committee on Education, to whom was referred the petitions (accompanied by bill, Senate, No. 279) of Eric P. Lesser and Ryan C. Fattman for legislation relative to Innovation Partnership Zones; and (accompanied by bill, Senate, No. 323) of Bruce E. Tarr for legislation relative to student achievement,- reports the accompanying bill (Senate, No. 2442).

For the committee,
Sonia Chang-Diaz

SENATE No. 2442

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act relative to Innovation Partnership Zones.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1J of chapter 69 of the General Laws, as appearing in the 2014
2 Official Edition, is hereby amended by striking out subsection (a) and inserting in place thereof
3 the following 2 subsections:-

4 (a) Prior to October 1, the commissioner of elementary and secondary education may, on
5 the basis of student performance data collected pursuant to section 1I, a school or district review
6 performed under section 55A of chapter 15, or regulations adopted by the board of elementary
7 and secondary education, designate 1 or more schools in a school district other than a Horace
8 Mann charter school as a priority, underperforming or chronically underperforming school. The
9 board shall adopt regulations establishing standards for the commissioner to make such
10 designations on the basis of data collected pursuant to section 1I or information from a school or
11 district review performed under section 55A of chapter 15. Upon the release of the proposed
12 regulations, the board shall file a copy thereof with the clerks of the house of representatives and
13 the senate who shall forward the regulations to the joint committee on education. Within 30 days
14 of the filing, the committee may hold a public hearing and issue a report on the regulations and

15 file the report with the board. The board, pursuant to applicable law, may adopt final regulations
16 making revisions to the proposed regulations as it deems appropriate after consideration of the
17 report and shall forthwith file a copy of the regulations with the chairpersons of the joint
18 committee on education and, not earlier than 30 days from the filing, the board shall file the final
19 regulations with the state secretary. Schools that score in the lowest 20 per cent statewide among
20 schools serving common grade levels on a single measure developed by the department that
21 takes into account student performance data and, beginning on July 1, 2011, improvement in
22 student academic performance, shall be deemed eligible for designation as a priority,
23 underperforming or chronically underperforming school, provided that any school designated as
24 a priority school shall be drawn from those schools most likely to be designated as
25 underperforming. Not more than 4 per cent of the total number of public schools may be
26 designated as a priority, underperforming or chronically underperforming school at any given
27 time.

28 In adopting regulations allowing the commissioner to designate a school as a priority,
29 underperforming or chronically underperforming school, the board shall ensure that such
30 regulations take into account multiple indicators of school quality in making such designations,
31 including, but not limited to: student attendance rates, dismissal rates and exclusion rates,
32 promotion rates, graduation rates or the lack of demonstrated significant improvement for 2 or
33 more consecutive years in core academic subjects, either in the aggregate or among subgroups of
34 students, including designations based on special education, low-income, English language
35 proficiency and racial or ethnic classifications.

36 Before a school is designated chronically underperforming by the commissioner, a school
37 must be designated underperforming and fail to improve.

38 A priority, underperforming or chronically underperforming school described in the
39 following subsections shall operate in accordance with laws regulating other public schools,
40 except as such provisions may conflict with this section or any turnaround plans created
41 thereunder. A student who is enrolled in a school at the time it is designated as a priority,
42 underperforming or chronically underperforming school shall be able to remain enrolled in the
43 school while remaining a resident of the district if the student chooses to do so.

44 If a school district has two or more schools designated as underperforming or chronically
45 underperforming, the commissioner may initiate the establishment of an Innovation Partnership
46 Zone pursuant to section 92A of chapter 71 as an alternative to the requirements and procedures
47 set forth in this section and section 1K. The commissioner may grant an exemption from any and
48 all requirements of this section to an underperforming or chronically underperforming school
49 that is a member of an Innovation Partnership Zone established pursuant to section 92A of
50 chapter 71.

51 (a $\frac{1}{2}$)(1) Within 15 days of the commissioner designating a school as a priority school in
52 accordance with the regulations developed pursuant to this section, the school committee and the
53 local teachers union shall meet to negotiate a waiver agreement, if necessary, that identifies any
54 provisions of the collective bargaining agreement that would be subject to a waiver upon a two-
55 thirds vote of the teachers working at least 50 per cent of the time in the designated priority
56 school. Such waivers shall be designed to permit the implementation of a turnaround plan
57 developed pursuant to this subsection which may include provisions that are inconsistent with
58 the existing collective bargaining agreement. Such negotiations shall be completed within 30
59 days of the commissioner designating a school as a priority school, and shall not be subject to
60 impasse provisions under section 9 of chapter 150E or unilateral implementation after impasse

61 pursuant to chapter 150E. If the school committee and the union fail to reach an agreement, the
62 process provided in this subsection shall be terminated and the commissioner may designate the
63 school as underperforming pursuant to subsection (a).

64 Within 15 days of the completion of the waiver negotiation process, the superintendent
65 shall convene a local stakeholder group for the purpose of developing a turnaround plan for the
66 school. The local stakeholder group shall include: (i) the superintendent, or a designee; (ii) the
67 chair of the school committee, or a designee; (iii) the president of the local teachers' union, or a
68 designee; (iv) an administrator from the school, who may be the principal, chosen by the
69 superintendent; (v) 2 educators chosen by the faculty of the school, 1 of whom shall be a
70 classroom teacher and 1 of whom shall be a certified non-teaching professional from the school;
71 and (vi) a parent member of the school council established pursuant to section 59C of chapter 71
72 to be chosen by the school council. Meetings of the local stakeholder group shall be open to the
73 public.

74 (2) In creating the turnaround plan, the local stakeholder group shall, to the extent
75 practicable, base the plan on student outcome data, including, but not limited to: (i) data
76 collected pursuant to section 1I or information from a school or district review performed under
77 section 55A of chapter 15; (ii) student achievement on the statewide assessment system approved
78 by the board under section 1I of this chapter; (iii) other measures of student achievement,
79 approved by the commissioner; (iv) student promotion and graduation rates; (v) achievement
80 data for different subgroups of students, including low-income students as defined in chapter 70,
81 limited English-proficient students and students receiving special education; and (vi) student
82 attendance, dismissal rates and exclusion rates.

83 The local stakeholder group shall also consider, in the creation of the turnaround plan,
84 whether to include the following: (i) steps to address social service and health needs of students
85 at the school and their families, to help students arrive and remain at school ready to learn;
86 provided, however, that this may include mental health and substance abuse screening; (ii) steps
87 to improve or expand child welfare services and, as appropriate, law enforcement services in the
88 school community, in order to promote a safe and secure learning environment; (iii) steps to
89 improve workforce development services provided to students and their families at the school, to
90 provide students and families with meaningful employment skills and opportunities; (iv) steps to
91 address achievement gaps for limited English-proficient, special education and low-income
92 students; and (v) notwithstanding chapter 71A, alternative English language learning programs
93 for limited English proficient students; provided that the school committee may retain said
94 programs after the school is no longer designated as a priority school. The secretaries of health
95 and human services, labor and workforce development, public safety, health and child welfare
96 officials and other applicable state and local social services, shall coordinate with the
97 superintendent to implement the strategies established pursuant to clauses (i) to (iii), inclusive, of
98 this paragraph that are included in a final turnaround plan and shall, subject to appropriation,
99 reasonably support the implementation, which shall be consistent with the requirements of all
100 state and federal law applicable to the relevant programs to be administered. The secretary of
101 education shall assist the superintendent in facilitating the coordination.

102 To assess the school across multiple measures of school performance and student
103 success, the turnaround plan shall include measurable annual goals including, but not limited to:
104 (i) student attendance, dismissal rates and exclusion rates; (ii) student safety and discipline; (iii)
105 student promotion and graduation and dropout rates; (iv) student achievement on the statewide

assessment system approved by the board under section 1I; (v) progress in areas of academic underperformance; (vi) progress among subgroups of students, including low-income students as defined by chapter 70, limited English proficient students and students receiving special education; (vii) reduction of achievement gaps among different groups of students; (viii) student acquisition and mastery of twenty-first century skills; (ix) development of college and career readiness, including at the elementary and middle school levels; (x) parent and family engagement; (xi) building a culture of academic success among students; (xii) building a culture of student support and success among school faculty and staff; and (xiii) developmentally appropriate child assessments from pre-kindergarten through third grade, if applicable.

(3) The plan shall include provisions intended to maximize the rapid achievement of students at the school by addressing the conditions for school effectiveness as determined by the department. The plan shall identify the specific provisions of the collective bargaining agreement that must be waived in order to implement the plan in accordance with the process set forth in paragraph (1) of this subsection, and shall describe the process and schedule for seeking approval of the plan by the teachers in the school pursuant to paragraph (5) of this subsection.

Notwithstanding any general or special law to the contrary, the turnaround plan may also include provisions that allow the superintendent to: (i) expand, alter or replace the curriculum and program offerings of the school, including the implementation of research-based early literacy programs, early interventions for struggling readers and the teaching of advanced placement courses or other rigorous nationally or internationally recognized courses, if the school does not already have such programs or courses; (ii) reallocate the uses of the existing budget of the school; (iii) provide additional funds to the school from the budget of the district, if the school does not already receive funding from the district at least equal to the average per

pupil funding received for students of the same classification and grade level in the district; (iv) provide funds, subject to appropriation, to expand the school day or school year or both of the school; (v) limit, suspend or change 1 or more school district policies or practices that relate to improved student performance and achievement at the school; (vi) for an elementary school, add pre-kindergarten and full-day kindergarten classes, if the school does not already have such classes; (vii) include a provision of job-embedded professional development for teachers at the school, with an emphasis on strategies that involve teacher input and feedback; (viii) provide for increased opportunities for teacher planning time and collaboration, including professional learning communities, focused on improving student instruction; (ix) establish a plan for professional development for administrators at the school, with an emphasis on strategies that develop leadership skills and use the principles of distributive leadership; (x) redesign and refocus the use of existing teacher preparation periods in the school to ensure that such preparation period is utilized to improve student instruction with an emphasis on improved student performance and achievement at the school; (xi) develop a strategy to search for and study best practices in areas of demonstrated deficiency in the school; (xii) establish strategies to address student attendance, mobility and transiency among the student population of the school; and (xiii) use formative and summative assessments to track student progress and to inform the instructional strategies employed in the classroom. The plan may also include a financial plan for the school based on additional funds to be provided by the district, commonwealth, federal government, private foundations, or other sources to provide additional resources, and may include a process for modifying the plan.

For a school with limited English proficient students, the professional development and planning time for teachers and administrators shall include specific strategies and content

designed to maximize the rapid academic achievement of limited English proficient students at the school.

(4) The local stakeholder group shall submit an initial turnaround plan to the school committee within 30 days of its initial meeting. The school committee may propose modifications to the turnaround plan and shall submit any proposed modifications to the superintendent within 10 days of receiving the initial plan. The superintendent shall consider and may incorporate, alter or reject the proposed modifications submitted by the school committee, and may propose additional modifications to the plan. Within 15 days of receiving any proposed modifications from the school committee, the superintendent shall issue the final turnaround plan for the school; provided, however, that if the plan requires any waiver of provisions of the collective bargaining agreement beyond those authorized by the negotiated agreement pursuant to paragraph (1) of this subsection, the school committee and the local teachers union shall meet to negotiate additional waivers. Such negotiations shall be completed within 15 days and shall not be subject to impasse provisions under section 9 of chapter 150E or unilateral implementation after impasse pursuant to chapter 150E. If the school committee and the union fail to reach an agreement, the process provided in this subsection shall be terminated and the commissioner may designate the school as underperforming pursuant to subsection (a).

(5) The superintendent shall submit the final turnaround plan to the school committee and the teachers in the school for approval, and shall forward a copy of said plan to the commissioner. A two-thirds vote of the teachers shall be required to approve the plan and shall be conducted by the local teachers union. A copy of the plan shall be provided to the faculty at least 5 days in advance of an informational meeting which shall be held at least 5 days in advance of the vote. The vote shall be by secret ballot. For the purposes of this vote, a teacher is

any person working at least 50 per cent of the time in the designated priority school under a license listed in 603 CMR 7.04 (3) (a), (b) or (d). A teacher on an approved leave at the time of the election may vote in such election. A teacher who has prior to such vote given notice to leave the school the following year because of: (i) retirement; (ii) resignation; (iii) voluntary transfer; or (iv) any other reason or who has received notice to leave the school the following year because of involuntary transfer, dismissal or any other reason, shall not be eligible to vote to approve the plan. If a final turnaround plan is not approved within the time frame provided in this subsection, the process provided in this subsection shall be terminated and the commissioner may designate the school as underperforming pursuant to subsection (a). Each turnaround plan shall be authorized for a period of not more than 2 years. The superintendent, as applicable, shall be responsible for meeting the goals of the plan.

(6) Each school designated by the commissioner as a priority school pursuant to this subsection shall be reviewed by the superintendent, in consultation with the principal of the school, at least annually. The purpose of the review shall be to determine whether the school has met the annual goals in its turnaround plan and to assess the overall implementation of the plan. The review shall be in writing and shall be submitted to the relevant school committee not later than July 1 for the preceding school year and shall be available to the public on the school district's website.

If the superintendent, in consultation with the principal of the school, determines that the school has met the annual performance goals stated in the turnaround plan, the review shall be considered sufficient and the implementation of the turnaround plan shall continue. If the superintendent determines that the school has not met 1 or more goals in the turnaround plan and that the failure to meet the goals may be corrected through reasonable modification of the plan,

the superintendent may reconvene the local stakeholder group which may amend the turnaround plan in a manner consistent with the requirements of paragraphs (1) to (5), inclusive; provided, however, that if a turnaround plan includes a process for modifying the plan, such modifications shall be implemented in accordance with the provisions of the plan.

(7) At a point not more than 2 years after the designation of a school as a priority school, the commissioner shall determine whether the school has improved sufficiently, requires further improvement or has failed to improve. The commissioner may determine that: (i) the school has improved sufficiently for the designation of the school as a priority school to be removed; (ii) the school has improved, but has not improved sufficiently for the designation of the school as a priority school to be removed, in which case the superintendent may, with the approval of the commissioner, reconvene the local stakeholder group for the purposes of renewing the plan or creating a new or modified plan for an additional period of not more than 2 years, consistent with the requirements of paragraphs (1) to (5), inclusive; or (iii) consistent with the requirements of subsection (a), the school is underperforming.

SECTION 2. Said section 1J of said chapter 69, as so appearing, is hereby amended by inserting after the word "System", in lines 101, 144, 451 and 492, the following words:- , or any successor statewide assessment system approved by the board pursuant to section 1I.

SECTION 3. Said section 1J of said chapter 69, as so appearing, is hereby further amended by inserting after the words "chapter 71A", in line 123, the following words:- , provided that the school committee may retain said programs after the school is no longer designated as underperforming.

219 SECTION 4. Said section 1J of said chapter 69, as so appearing, is hereby further
220 amended by inserting after the word “government”, in lines 125 and 475, the following words:- ,
221 private foundations,.

222 SECTION 5. Said section 1J of said chapter 69, as so appearing, is hereby further
223 amended by striking out, in line 217, the words “or chronically underperforming”.

224 SECTION 6. Said section 1J of said chapter 69, as so appearing, is hereby further
225 amended by inserting after the word “issues”, in line 290, the following word:- to.

226 SECTION 7. Subsection (j) of said section 1J of said chapter 69, as so appearing, is
227 hereby amended by inserting after the second sentence the following sentence:- “If a
228 superintendent or external receiver wishes to authorize a turnaround plan, adopted pursuant to
229 subsections (b) to (g) inclusive, with elements that exceed three years in duration those elements
230 must be approved by the commissioner and the commissioner may enter into an agreement with
231 the district to provide for the continuation of those elements under any immediately subsequent
232 turnaround plans adopted pursuant to this section, or during a transitional period under
233 subsection (y).”

234 SECTION 8. Subsection (l) of said section 1J of said chapter 69, as so appearing, is
235 hereby amended by adding the following sentence:- Until the commissioner makes the
236 determination required under this section, and any new or amended turnaround plan is approved,
237 the terms of the expired turnaround plan shall remain in effect.

238 SECTION 9. Said section 1J of said chapter 69, as so appearing, is hereby further
239 amended by inserting after the words “chapter 71A”, in line 473, the following words:- ,

provided that the school committee may retain said programs after the school is no longer designated as chronically underperforming.

SECTION 10. Said section 1J of said chapter 69, as so appearing, is hereby further amended by inserting after the word “superintendent”, in line 536, the following words:- or, if one has been appointed pursuant to subsection (r), the school’s receiver.

SECTION 11. Said section 1J of said chapter 69, as so appearing, is hereby further amended by striking out, in line 558, the word “commissioner” and inserting in place thereof the following words:- superintendent or, if one has been appointed pursuant to subsection (r), the school’s receiver.

SECTION 12. Said section 1J of said chapter 69, as so appearing, is hereby further amended by striking out, in line 559, the figure “(7)” and inserting in place thereof the following figure:- (8).

SECTION 13. Said section 1J of said chapter 69, as so appearing, is hereby further amended by striking out, in line 568, the words “underperforming or”.

SECTION 14. Said section 1J of said chapter 69, as so appearing, is hereby further amended by striking out, in lines 571-572, the words “commissioner or superintendent” and inserting in place thereof the following words:- superintendent or receiver.

SECTION 15. Subsection (s) of said section 1J of said chapter 69, as so appearing, is hereby amended by adding the following 2 sentences:- Following the annual appropriation of the school district's operating budget, the amount approved for the operation of each chronically underperforming school shall be available for expenditure by the superintendent or the external

receiver for any lawful purpose. A chronically underperforming school shall not expend or incur obligations in excess of its budget; provided, however, that a chronically underperforming school may spend federal and state grants and other funds received independently of its operating budget without approval from the school committee or by the superintendent if a receiver has been appointed.

SECTION 16. Subsection (t) of said section 1J of said chapter 69, as so appearing, is hereby amended by inserting after the second sentence the following sentence:-“The commissioner may approve elements of a turnaround plan that exceed three years in duration and may enter into an agreement with the district to provide for the continuation of those elements under any immediately subsequent turnaround plans adopted pursuant to this section.”

SECTION 17. Said section 1J of said chapter 69, as so appearing, is hereby further amended by striking out subsection (y) and inserting in place thereof the following subsection:-

(y) The board of elementary and secondary education shall adopt regulations regarding:

- (1) the conditions under which a priority, underperforming or chronically underperforming school shall no longer be designated as a priority, underperforming or chronically underperforming school; and
- (2) the transfer of the operation of an underperforming or a chronically underperforming school from a superintendent or an external receiver, as applicable, to the school committee. The regulations shall include provisions to allow a school to retain measures adopted in a turnaround plan for a transitional period if, in the judgment of the commissioner, the measures would contribute to the continued improvement of the school. Such regulations shall also include provisions that clearly identify the conditions under which such a transitional period shall end and the powers granted to the commissioner and board under this

283 section shall cease to apply to a school previously designated as underperforming or chronically
284 underperforming.

285 SECTION 18. Said section 1J of said chapter 69, as so appearing, is hereby further
286 amended by striking out, in line 769, the word “underperforming” and inserting in place thereof
287 the following words:- priority, underperforming.

288 SECTION 19. The second paragraph of subsection (a) of section 1K of said chapter 69,
289 as so appearing, is hereby amended by adding the following sentence:- At the request of the
290 commissioner, the secretary of administration and finance shall appoint a chief procurement
291 officer for a district designated as chronically underperforming.

292 SECTION 20. Said section 1K of said chapter 69, as so appearing, is hereby further
293 amended by striking out, in line 54, the word “an” and inserting in place thereof the following
294 word:- a.

295 SECTION 21. Said section 1K of said chapter 69, as so appearing, is hereby further
296 amended by inserting after the word “System”, in lines 99 and 140, the following words:- , or
297 any successor statewide assessment system approved by the board pursuant to section 1I.

298 SECTION 22. Said section 1K of said chapter 69, as so appearing, is hereby further
299 amended by inserting after the words “chapter 71A”, in line 121, the following words:- ,
300 provided that the school committee may retain said programs after the district is no longer
301 designated as chronically underperforming.

SECTION 23. Said section 1K of said chapter 69, as so appearing, is hereby further amended by striking out, in line 129, the word “an” and inserting in place thereof the following word:- a.

SECTION 24. Said section 1K of said chapter 69, as so appearing, is hereby further amended by striking out, in lines 181-182, the words “reapplications. turnaround plan” and inserting in place thereof the following word:- reapplications.

SECTION 25. Said section 1K of said chapter 69, as so appearing, is hereby further amended by striking out, in lines 204 and 240, the word “commissioner” and inserting in place thereof, in each instance, the following word:- receiver.

SECTION 26. Said section 1K of said chapter 69, as so appearing, is hereby further amended by striking out, in lines 217-218, the word “commissioner/superintendent” and inserting in place thereof the following word:- receiver.

SECTION 27. Said section 1K of said chapter 69, as so appearing, is hereby further amended by striking out, in line 239, the word “if” and inserting in place thereof the following word:- If.

SECTION 28. Said section 1K of said chapter 69, as so appearing, is hereby further amended by striking out, in lines 293 and 303, the words “subsection (g)” and inserting in place thereof, in each instance, the following words:- subsection (h).

SECTION 29. Subsection (f) of said section 1K of said chapter 69, as so appearing, is hereby further amended by inserting after the second sentence the following sentence:- “The commissioner may approve elements of a turnaround plan that exceed three years in duration and

may enter into an agreement with the district to provide for the continuation of those elements under any immediately subsequent turnaround plans adopted pursuant to this section.”

SECTION 30. Said section 1K of said chapter 69, as so appearing, is hereby amended by striking out, in lines 338-339, the following words:- for a transitional period.

SECTION 31. Said section 1K of said chapter 69, as so appearing, is hereby further amended by striking out, in line 355, the words “subsection (h)” and inserting in place thereof the following words:- subsection (i).

SECTION 32. Chapter 71 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after section 92 the following section:-

Section 92A. Innovation Partnership Zones.

(a) An Innovation Partnership Zone shall consist of at least two public schools, operating within a public school district, that is established for the purpose of improving school performance and student achievement through increased autonomy and flexibility. An Innovation Partnership Zone and its member schools shall have autonomy and flexibility in the following areas: (i) curriculum; (ii) budget; (iii) school schedule and calendar; (iv) staffing policies and procedures, including waivers from or modifications to, contracts or collective bargaining agreements; (v) professional development; and (vi) school district policies and procedures, including those related to procurement, human resources and operations. A student who is enrolled in a school at the time that it is established as a member school within an Innovation Partnership Zone shall retain the ability to remain enrolled in the school if the student chooses to do so, and the overall student assignment system in the district shall be maintained in the Innovation Partnership Zone.

345 All member schools in an Innovation Partnership Zone shall operate in accordance with
346 state and federal laws regulating other public schools, except as the law conflicts with this
347 section.

348 (b) An Innovation Partnership Zone established under this section shall operate according
349 to an Innovation Partnership Zone Plan and a memorandum of understanding between the board
350 of directors of the Innovation Partnership Zone and the local school committee. The
351 establishment of an Innovation Partnership Zone may be initiated by: (i) a public school district
352 that has two or more schools designated as underperforming or chronically underperforming
353 pursuant to section 1J of chapter 69; or (ii) the commissioner of elementary and secondary
354 education, pursuant to paragraphs (l) through (t), inclusive, in a district that has two or more
355 schools that have been designated as underperforming or chronically underperforming pursuant
356 to section 1J of chapter 69, for a period of at least three years, or in a district designated as
357 chronically underperforming following a period of receivership pursuant to section 1K of chapter
358 69.

359 A local school committee, superintendent, mayor, or local teacher's union shall have the
360 authority to initiate the establishment of an Innovation Partnership Zone pursuant to clause (i) of
361 this subsection, subject to the approval of the school committee. An Innovation Partnership Zone
362 initiated by the commissioner pursuant to clause (ii) of this subsection shall be subject to the
363 approval of the board of elementary and secondary education.

364 (c) An Innovation Partnership Zone shall be managed by a board of directors that
365 includes at least five but no more than nine members, the majority of whom shall be individuals
366 who currently reside in or have at least ten years of work or residential history in the community

in which the Innovation Partnership Zone is located. The majority of the members of the board of directors shall be independent members, defined as individuals who are not elected, appointed or employed by any municipal entity of the community in which the Innovation Partnership Zone is located.. The board of directors shall also include at least one representative from the local school committee of the district in which the Innovation Partnership Zone is located. Individuals who are serving in elected or appointed positions in the school district or community in which the Innovation Partnership Zone is located may serve as designated ex officio members of the board of directors. For an Innovation Partnership Zone initiated by a school district pursuant to clause (i) of subsection (b), the members of the board of directors shall be identified and listed in the prospectus developed under subsection (d). For an Innovation Partnership Zone initiated by the commissioner pursuant to clause (ii) of subsection (b), the members of the board of directors shall be appointed by the commissioner. The board of directors of an Innovation Partnership Zone shall be deemed to be public agents authorized by the commonwealth to operate and manage the Innovation Partnership Zone and member schools.

The board of directors shall have full managerial and operational control of the Innovation Partnership Zone and its member schools; provided, however, that the school district in which the Innovation Partnership Zone is located shall remain the employer of record for all other purposes.

(d) For an Innovation Partnership Zone initiated by a public school district pursuant to clause (i) of subsection (b), the local school committee, superintendent, mayor, or local teacher's union shall follow a process, consistent with this subsection and subsections (e) to (j), inclusive, by which an Innovation Partnership Zone shall be established within the district. This process shall require that the individual or entity proposing to establish the Innovation Partnership Zone

prepare a prospectus regarding the proposed Innovation Partnership Zone. The prospectus shall include, but not be limited to, a description of: (i) the rationale for establishing the proposed Innovation Partnership Zone and the overall vision for the Innovation Partnership Zone, including improving school performance and student achievement; (ii) the names and accountability rankings of each school that will be included in the proposed Innovation Partnership Zone and why these schools have been selected; (iii) the number of students that the Innovation Partnership Zone expects to serve; (iv) a preliminary assessment of the autonomy and flexibility under subsection (a) that the Innovation Partnership Zone will seek; (v) why such flexibility is desirable to carry out the objectives of the Innovation Partnership Zone; (vi) the external partners, if any, that will be involved in supporting the Innovation Partnership Zone and its member schools, and the services that such partners are expected to provide; (vii) a proposed timetable for establishing the Innovation Partnership Zone; and (viii) the names of the individuals who will be appointed to serve as the members of the board of directors for the Innovation Partnership Zone in accordance with the requirements in subsection (c).

(e) Upon completion of the prospectus under subsection (d), the individual or entity proposing to establish the Innovation Partnership Zone shall submit the prospectus to the superintendent, who shall within 30 days convene a screening committee consisting of the superintendent or a designee, the chair of the local school committee or a designee and a representative from the leadership of the local teacher's union.

The screening committee shall review the prospectus for the purpose of determining whether the prospectus: (i) presents a sound and coherent plan for improving student achievement; (ii) supports or enhances existing educational efforts in the district; and (iii) reasonably can be expanded into a comprehensive Innovation Partnership Zone plan. Within 30

413 days of receiving a prospectus, the screening committee shall decide, on the basis of a two-thirds
414 vote, to accept, reject or return the prospectus for revisions. If a prospectus is rejected or
415 returned, the screening committee shall provide a detailed explanation for the decision. A
416 prospectus that is rejected or returned may be revised and resubmitted for subsequent
417 consideration. By approving the prospectus, the screening committee shall also approve the
418 establishment of the board of directors for the proposed Innovation Partnership Zone.

419 (f) Upon the approval of the prospectus by the screening committee under subsection (e),
420 the newly constituted board of directors shall develop a memorandum of understanding with the
421 local school committee that includes, but is not limited to, the following: (i) a detailed
422 description of the division of responsibilities between the board of directors of the Innovation
423 Partnership Zone and the local school committee; (ii) the services that shall be provided by the
424 public school district to member schools in the Innovation Partnership Zone and the amount of
425 funding that shall be allocated by the local school committee to provide such services; (iii) a
426 detailed budget and financial agreement, including the allocation of per-pupil funding at no less
427 than 50% of per-pupil expenditures of the district, for the Innovation Partnership Zone and its
428 member schools; (iv) the necessary activities to successfully transfer the management of the
429 member schools to the board of directors of the Innovation Partnership Zone; and (v) a
430 description of the anticipated process by which the composition of member schools may be
431 altered as appropriate and necessary; (vi) a provision requiring that the board of directors meet
432 with the local school committee no less than annually. The memorandum of understanding shall
433 be a public document and must be posted on the website of the school district in which the
434 Innovation Partnership Zone is located.

(g) Upon the approval of the memorandum of understanding by the board of directors and local school committee, the board of directors shall develop a comprehensive Innovation Partnership Zone plan for the proposed Innovation Partnership Zone. The board of directors shall engage district and community representatives, including but not limited to school administrators, teachers, students, parents and family members, municipal leaders and other members of the community in which the proposed Innovation Partnership Zone will be established, in the development of the plan. The Innovation Partnership Zone plan shall articulate the areas of autonomy and flexibility under subsection (a) that the proposed Innovation Partnership Zone will use, and shall include, but not be limited to, the following: (i) a copy of the prospectus developed under subsection (d); (ii) a copy of the memorandum of understanding approved by the board of directors and the local school committee; (iii) a description of the process by which the member schools will determine the uses of their autonomies and flexibility; (iv) a curriculum plan, which shall include a preliminary description of the curriculum and related programs that may be implemented in the member schools; (v) a proposed budget for the Innovation Partnership Zone, including a description of how funds will be used and distributed among the member schools; (vi) a school schedule plan, which shall include a preliminary description of the ways, if any, the programs or calendars of the member schools within the proposed Innovation Partnership Zone may be enhanced or expanded; (vii) a staffing plan, which shall include a description of how the principals, administrators, faculty, and staff will be recruited, employed, evaluated, and compensated in the member schools of the proposed Innovation Partnership Zone and any proposed waivers or modifications of collective bargaining agreements; (viii) a policy and procedures plan, which shall include a preliminary description of the operational policies and procedures that may be used by the member schools in the proposed

Innovation Partnership Zone, which shall include a policy requiring the establishment of teacher leadership teams, where the majority of members of said team must be selected by their peers. The principal shall consult with said team on all instructional operations of the member school; and (ix) a professional development plan, which shall include a description of how the Innovation Partnership Zone may provide high-quality professional development to the administrators, teachers and staff working in the member schools of the proposed Innovation Partnership Zone.

In order to assess the proposed Innovation Partnership Zone and its member schools across multiple measures of school performance and student success, the Innovation Partnership Zone plan shall include measurable annual goals including, but not limited to, the following: (i) student attendance; (ii) student safety and discipline; (iii) student promotion and graduation and dropout rates; (iv) student achievement on the Massachusetts Comprehensive Assessment System, or any successor statewide assessment system approved by the board of elementary and secondary education pursuant to section 1I of chapter 69; (v) progress in areas of academic underperformance; (vi) progress among subgroups of students, including low-income students as defined by chapter 70, limited English-proficient students and students receiving special education; and (vii) reduction of achievement gaps among different groups of students.

The provisions of the collective bargaining agreements applicable to the administrators, teachers and staff employed in the district in which the Innovation Partnership Zone is located shall be considered to be in operation at the member schools in the Innovation Partnership Zone, except to the extent the provisions are waived or modified under the Innovation Partnership Zone plan and such waivers or modifications are approved under subsection (h).

(h) Upon the completion of the Innovation Partnership Zone plan, the board of directors and local teachers union shall meet to negotiate waivers or modifications to the applicable collective bargaining agreement necessary for the implementation of the Innovation Partnership Zone plan. If the negotiations have not resulted in an agreement within 40 days, either party may petition the division of labor relations for the selection of an arbitrator. The division shall select an arbitrator within 3 days of the petition from a list submitted by the parties. The arbitrator shall conduct a hearing within 14 days of the arbitrator's selection. The arbitrator shall consider the parties' positions and the needs of the students in the district. The arbitrator's decision shall be consistent with the contents of the Innovation Partnership Zone plan developed by the board of directors. The arbitrator shall, within 14 days of the close of the hearing, submit a decision which shall be final and binding on the parties.

(i) Upon completion of the negotiation process under subsection (h), the board of directors shall hold a public hearing on the proposed plan. Upon completion of the public hearing, the board of directors shall undertake a final vote to approve the Innovation Partnership Zone plan developed under subsection (g) and shall submit the plan to the commissioner. The board of directors shall hold at least one public hearing on the plan prior to final approval. (j) Upon final local approval of the plan, the commissioner shall, in writing, notify the board of directors of the formal establishment of the Innovation Partnership Zone and the board of directors shall have the authority to operate and manage the Innovation Partnership Zone and its member schools for a term of five years. The board of directors shall provide to the school committee an annual report on the Innovation Partnership Zone.

(k) At the end of each five-year term, if the Innovation Partnership Zone and its member schools have substantively achieved academic and other goals and have fulfilled all material

responsibilities articulated in the Innovation Partnership Zone plan, the term for the Innovation Partnership Zone may be renewed for another five years, subject to the approval of the local school committee. The board of directors and local school committee may mutually agree to terminate the Innovation Partnership Zone at any point during a five-year term or at the end of the term.

(l) Pursuant to clause (ii) of subsection (b), the commissioner of elementary and secondary education may, on the basis of student performance data collected pursuant to section 1I of chapter 69, a school or district review performed under section 55A of chapter 15, or regulations adopted by the board of elementary and secondary education, initiate the establishment of an Innovation Partnership Zone in a public school district that has one or more schools that have been designated as underperforming or chronically underperforming pursuant to section 1J of chapter 69 for a period of at least three years. The commissioner may initiate the establishment of an Innovation Partnership Zone in a district designated as chronically underperforming following a period of receivership pursuant to section 1K of chapter 69.

(m) For an Innovation Partnership Zone initiated by the commissioner, the commissioner and board of directors shall follow a process, consistent with this subsection and subsections (n) to (t), inclusive, by which an Innovation Partnership Zone shall be established within the district. This process shall require that the commissioner present a recommendation to initiate the establishment of an Innovation Partnership Zone to the board of elementary and secondary education. At their first formal meeting following the presentation of the recommendation of the commissioner, the members of the board of elementary and secondary education shall vote to authorize the commissioner to initiate the establishment of the proposed Innovation Partnership Zone.

(n) Upon the approval of the board of elementary and secondary education, the commissioner shall, in consultation with representatives from the local school district and community in which the proposed Innovation Partnership Zone shall operate, select and appoint the members of the board of directors for the Innovation Partnership Zone in accordance with the requirements set forth in subsection (c).

(o) The newly constituted board of directors shall develop a memorandum of understanding with the local school committee that includes, but is not limited to the components listed in subsection (f). The commissioner shall serve as a signatory for the memorandum of understanding. The memorandum of understanding shall be a public document and must be posted on the website of the school district in which the Innovation Partnership Zone is located.

(p) Upon the completion of the memorandum of understanding, the board of directors shall develop a comprehensive Innovation Partnership Zone plan for the proposed Innovation Partnership Zone. The board of directors shall engage district and community representatives, including but not limited to school administrators, teachers, students, parents and family members, municipal leaders and other members of the community in which the proposed Innovation Partnership Zone will be established, in the development of the plan. The Innovation Partnership Zone plan shall articulate the areas of autonomy and flexibility under subsection (a) that the proposed Innovation Partnership Zone will use, and shall include, but not be limited to, the components listed under subsection (g).

The provisions of the collective bargaining agreements applicable to the administrators, teachers and staff employed in the district in which the Innovation Partnership Zone is located shall be considered to be in operation at the member schools in the Innovation Partnership Zone,

except to the extent the provisions are waived or modified under the Innovation Partnership Zone plan and such waivers or modifications are approved under subsection (q).

(q) Upon the completion of the Innovation Partnership Zone plan, the board of directors and local teachers union shall meet to negotiate waivers or modifications to the applicable collective bargaining agreement necessary for the implementation of the Innovation Partnership Zone plan.

The bargaining shall be conducted in good faith and completed within 30 days. The agreement shall be subject to ratification within 10 business days by the bargaining unit members employed in the Innovation Partnership Zone member schools at the time of negotiation. If the parties are unable to reach an agreement within 30 days or if the agreement is not ratified within 10 business days by the bargaining unit members employed in the Innovation Partnership Zone member schools at the time of negotiation, the parties shall submit remaining unresolved issues to a joint resolution committee for dispute resolution process on the next business day following the end of the 30 day bargaining period or failure to ratify. Said dispute resolution process shall be conducted according to the procedures and requirements set forth in subsection (e) of section 1K of chapter 69.

(r) Upon completion of the negotiation process under subsection (q), the board of directors shall hold a public hearing on the proposed plan. Upon completion of the public hearing, the board of directors shall undertake a final vote to approve the Innovation Partnership Zone plan developed under subsection (p) and shall submit the plan to the commissioner. Within 45 days of receipt, the commissioner shall accept, reject or request revisions to the plan. The commissioner shall present specific requests for information or data if revisions are required, and

shall provide detailed feedback if the plan has been rejected. The board of directors shall submit a revised plan to the commissioner within 30 days of receiving the request, and within 15 days of receipt, the commissioner shall accept the revised document or request additional revisions. The board of directors may submit a new plan if the original plan is rejected.

(s) Upon approving the plan, the commissioner shall present a recommendation to establish the Innovation Partnership Zone to the board of elementary and secondary education. At their first formal meeting following the presentation of the recommendation of the commissioner, the members of the board of elementary and secondary education shall vote on the establishment of the Innovation Partnership Zone in accordance with criteria developed by the board of elementary and secondary education. By a vote of the majority, the board of elementary and secondary education may approve the establishment of the Innovation Partnership Zone, request additional information or data, or reject the recommendation of the commissioner. The commissioner and board of directors of the proposed Innovation Partnership Zone shall respond to any requests for information and data within 30 days, and the members of the board of elementary and secondary education shall vote on the establishment of the Innovation Partnership Zone at a subsequent meeting selected by the chair of the board of elementary and secondary education. If the recommendation to establish the Innovation Partnership Zone is rejected, the chair of the board of elementary and secondary education shall present detailed feedback to the commissioner and the board of directors of the proposed Innovation Partnership Zone.

(t) Upon approval of the establishment of the Innovation Partnership Zone by the board of elementary and secondary education, the commissioner shall, in writing, notify the board of directors of the formal establishment of the Innovation Partnership Zone and the board of

593 directors shall have the authority to operate and manage the Innovation Partnership Zone and its
594 member schools for a term of five years. . The board of directors shall provide to the school
595 committee an annual report on the Innovation Partnership Zone.

596 (u) At the end of each five-year term, if the Innovation Partnership Zone and its member
597 schools have substantively achieved academic and other goals and have fulfilled all material
598 responsibilities articulated in the Innovation Partnership Zone plan, the term for the Innovation
599 Partnership Zone may be renewed for another five years, subject to the approval of the
600 commissioner and the board of elementary and secondary education. The board of directors and
601 commissioner may mutually agree to terminate the Innovation Partnership Zone at any point
602 during a five-year term or at the end of the term.

603 (v) The commissioner shall report annually to the joint committee on education, the
604 house and senate committees on ways and means, the speaker of the house of representatives and
605 the senate president on the implementation and fiscal impact of this section. The report shall
606 include, but not be limited to, the following: (i) a list of all Innovation Partnership Zones and
607 their member schools, descriptions of academic and career themes as applicable and student
608 enrollment, retention and demographic data; (ii) information about the uses of autonomy and
609 flexibility in the Innovation Partnership Zones and how they are enabling the Zones and the
610 member schools to achieve academic and other goals; (iii) student achievement and school
611 performance data, including achievement data by student subgroup; (iv) information about the
612 instructional, operational, fiscal and other implications of the Innovation Partnership Zones; and
613 (v) information about the establishment of future Innovation Partnership Zones as applicable.

(w) Notwithstanding this section or any other general or special law to the contrary, for the purposes of chapter 268A and chapter 30B: (i) an Innovation Partnership Zone shall be deemed to be a state agency; and (ii) the appointing official of a member of the board of directors of an Innovation Partnership Zone shall be deemed to be the commissioner. Members of boards of directors of Innovation Partnership Zones operating under this section shall file a disclosure annually with the state ethics commission, the department and the city or town clerk wherein such Innovation Partnership Zone is located. The disclosure is in addition to the requirements of said chapter 268A and a member of a board of directors must also comply with the disclosure and other requirements of said chapter 268A. The form of the disclosure shall be prescribed by the ethics commission and shall be signed under penalty of perjury. Such form shall be limited to a statement in which members of the board of directors shall disclose any financial interest that they or a member of their immediate families, as defined in section 1 of said chapter 268A, have in any Innovation Partnership Zone or Innovation Partnership Zone member school located in the commonwealth or in another state or with a person doing business with an Innovation Partnership Zone or Innovation Partnership Zone member school.

Each member of a board of directors of an Innovation Partnership Zone shall file such disclosure for the preceding calendar year with the commission within 30 days of becoming a member of the board of directors, by September 1 of each year thereafter that the person is a member of the board of directors and by September 1 of the year after the person ceases to be a member of the board of directors; provided, however, that no member of a board of directors shall be required to file a disclosure for the year in which he or she ceases to be a member of the board of directors if he served less than 30 days in that year.

(x) Nothing in this section shall prohibit the commissioner of elementary and secondary education from exercising the right to designate schools as underperforming or chronically underperforming pursuant to subsections 1J and 1K of chapter 69.

(y) Notwithstanding this section or any other general or special law to the contrary, the name of the Innovation Partnership Zone may be determined by the community or school district in which the Zone is located.

SECTION 33. The board of elementary and secondary education shall promulgate rules and regulations to implement the provisions of this act. Such regulations shall, at a minimum, address the appropriate level of per-pupil funding to be allocated by the local school committee to the board of directors of an Innovation Partnership Zone established pursuant to section 92A of chapter 71.

MA LAW:
S279 An Act Relative to
Innovation Partnership
Zones - 2018

SENATE No. 279

The Commonwealth of Massachusetts

PRESENTED BY:

Eric P. Lesser

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to Innovation Partnership Zones.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>2/3/2017</i>

SENATE No. 279

By Mr. Lesser, a petition (accompanied by bill, Senate, No. 279) of Eric P. Lesser and Ryan C. Fattman for legislation relative to Innovation Partnership Zones. Education.

The Commonwealth of Massachusetts

In the One Hundred and Ninetieth General Court
(2017-2018)

An Act relative to Innovation Partnership Zones.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Subsection (a) of section 1J of chapter 69 of the General Laws, as appearing
2 in the 2014 Official Edition, is hereby amended by adding the following paragraph:-

3 If a school district has one or more schools designated as underperforming or chronically
4 underperforming, the commissioner may initiate the establishment of an Innovation Partnership
5 Zone pursuant to section 92A of chapter 71 as an alternative to the requirements and procedures
6 set forth in this section and section 1K. The commissioner may grant an exemption from any and
7 all requirements of this section to an underperforming or chronically underperforming school
8 that is a member of an Innovation Partnership Zone established pursuant to section 92A of
9 chapter 71.

10 SECTION 2. Chapter 71 of the General Laws, as appearing in the 2014 Official Edition,
11 is hereby amended by inserting after section 92 the following section:-

12 Section 92A. Innovation Partnership Zones.

(a) An Innovation Partnership Zone shall consist of at least two public schools, operating within a public school district, that is established for the purpose of improving school performance and student achievement through increased autonomy and flexibility. An Innovation Partnership Zone and its member schools shall have autonomy and flexibility in the following areas: (i) curriculum; (ii) budget; (iii) school schedule and calendar; (iv) staffing policies and procedures, including waivers from or modifications to, contracts or collective bargaining agreements; (v) professional development; and (vi) school district policies and procedures, including those related to procurement, human resources and operations. A student who is enrolled in a school at the time that it is established as a member school within an Innovation Partnership Zone shall retain the ability to remain enrolled in the school if the student chooses to do so, and the overall student assignment system in the district shall be maintained in the Innovation Partnership Zone.

All member schools in an Innovation Partnership Zone shall operate in accordance with state and federal laws regulating other public schools, except as the law conflicts with this section.

(b) An Innovation Partnership Zone established under this section shall operate according to an Innovation Partnership Zone Plan and a memorandum of understanding between the board of directors of the Innovation Partnership Zone and the local school committee. The establishment of an Innovation Partnership Zone may be initiated by: (i) a public school district that has one or more schools that score in the lowest 20 per cent statewide among schools serving common grade levels on a single measure developed by the department that takes into account student performance data and improvement in student academic performance; or (ii) the commissioner of elementary and secondary education in a district that has one or more schools

designated as underperforming or chronically underperforming pursuant to section 1J of chapter 69 or in a district designated as chronically underperforming following a period of receivership pursuant to section 1K of chapter 69.

A local school committee, superintendent, or local teacher's union shall have the authority to initiate the establishment of an Innovation Partnership Zone pursuant to clause (i) of this subsection, subject to the approval of the school committee. An Innovation Partnership Zone initiated by the commissioner pursuant to clause (ii) of this subsection shall be subject to the approval of the board of elementary and secondary education.

(c) An Innovation Partnership Zone shall be managed by a board of directors that includes at least five but no more than nine members. The majority of the members of the board of directors shall be independent members, defined as individuals who are not elected, appointed or employed by any municipal entity of the community in which the Innovation Partnership Zone is located. The board of directors shall also include at least three members who reside in the community in which the Innovation Partnership Zone is located. Individuals who are serving in elected or appointed positions in the school district or community in which the Innovation Partnership Zone is located may serve as designated ex officio members of the board of directors. For an Innovation Partnership Zone initiated by a school district pursuant to clause (i) of subsection (b), the members of the board of directors shall be identified and listed in the prospectus developed under subsection (d). For an Innovation Partnership Zone initiated by the commissioner pursuant to clause (ii) of subsection (b), the members of the board of directors shall be appointed by the commissioner. The board of directors of an Innovation Partnership Zone shall be deemed to be public agents authorized by the commonwealth to operate and manage the Innovation Partnership Zone and member schools.

The board of directors shall have full managerial and operational control of the Innovation Partnership Zone and its member schools; provided, however, that the school district in which the Innovation Partnership Zone is located shall remain the employer of record for all other purposes.

(d) For an Innovation Partnership Zone initiated by a public school district pursuant to clause (i) of subsection (b), the local school committee, superintendent, and local teacher's union shall follow a process, consistent with this subsection and subsections (e) to (j), inclusive, by which an Innovation Partnership Zone shall be established within the district. This process shall require that the individual or entity proposing to establish the Innovation Partnership Zone prepare a prospectus regarding the proposed Innovation Partnership Zone. The prospectus shall include, but not be limited to, a description of: (i) the rationale for establishing the proposed Innovation Partnership Zone and the overall vision for the Innovation Partnership Zone, including improving school performance and student achievement; (ii) the names and accountability rankings of each school that will be included in the proposed Innovation Partnership Zone and why these schools have been selected; (iii) the number of students that the Innovation Partnership Zone expects to serve; (iv) a preliminary assessment of the autonomy and flexibility under subsection (a) that the Innovation Partnership Zone will seek; (v) why such flexibility is desirable to carry out the objectives of the Innovation Partnership Zone; (vi) the external partners, if any, that will be involved in supporting the Innovation Partnership Zone and its member schools, and the services that such partners are expected to provide; (vii) a proposed timetable for establishing the Innovation Partnership Zone; and (viii) the names of the individuals who will be appointed to serve as the members of the board of directors for the Innovation Partnership Zone in accordance with the requirements in subsection (c).

(e) Upon completion of the prospectus under subsection (d), the individual or entity proposing to establish the Innovation Partnership Zone shall submit the prospectus to the superintendent, who shall within 30 days convene a screening committee consisting of the superintendent or a designee, the chair of the local school committee or a designee and a representative from the leadership of the local teacher's union.

The screening committee shall review the prospectus for the purpose of determining whether the prospectus: (i) presents a sound and coherent plan for improving student achievement; (ii) supports or enhances existing educational efforts in the district; and (iii) reasonably can be expanded into a comprehensive Innovation Partnership Zone plan. Within 30 days of receiving a prospectus, the screening committee shall decide, on the basis of a two-thirds vote, to accept, reject or return the prospectus for revisions. If a prospectus is rejected or returned, the screening committee shall provide a detailed explanation for the decision. A prospectus that is rejected or returned may be revised and resubmitted for subsequent consideration. By approving the prospectus, the screening committee shall also approve the establishment of the board of directors for the proposed Innovation Partnership Zone.

(f) Upon the approval of the prospectus by the screening committee under subsection (e), the newly constituted board of directors shall develop a memorandum of understanding with the local school committee that includes, but is not limited to, the following: (i) a detailed description of the division of responsibilities between the board of directors of the Innovation Partnership Zone and the local school committee; (ii) the services that shall be provided by the public school district to member schools in the Innovation Partnership Zone and the amount of funding that shall be allocated by the local school committee to provide such services; (iii) a detailed budget and financial agreement, including the allocation of per-pupil funding for the

105 Innovation Partnership Zone and its member schools; (iv) the necessary activities to successfully
106 transfer the management of the member schools to the board of directors of the Innovation
107 Partnership Zone; and (v) a description of the anticipated process by which the composition of
108 member schools may be altered as appropriate and necessary. The memorandum of
109 understanding shall be a public document and must be posted on the website of the school
110 district in which the Innovation Partnership Zone is located.

111 (g) Upon the approval of the memorandum of understanding by the board of directors and
112 local school committee, the board of directors shall develop a comprehensive Innovation
113 Partnership Zone plan for the proposed Innovation Partnership Zone. The board of directors shall
114 engage district and community representatives, including but not limited to school
115 administrators, teachers, students, parents and family members, municipal leaders and other
116 members of the community in which the proposed Innovation Partnership Zone will be
117 established, in the development of the plan. The Innovation Partnership Zone plan shall articulate
118 the areas of autonomy and flexibility under subsection (a) that the proposed Innovation
119 Partnership Zone will use, and shall include, but not be limited to, the following: (i) a copy of the
120 prospectus developed under subsection (d); (ii) a copy of the memorandum of understanding
121 approved by the board of directors and the local school committee; (iii) a description of the
122 process by which the member schools will determine the uses of their autonomies and flexibility;
123 (iv) a curriculum plan, which shall include a preliminary description of the curriculum and
124 related programs that may be implemented in the member schools; (v) a proposed budget for the
125 Innovation Partnership Zone, including a description of how funds will be used and distributed
126 among the member schools; (vi) a school schedule plan, which shall include a preliminary
127 description of the ways, if any, the programs or calendars of the member schools within the

proposed Innovation Partnership Zone may be enhanced or expanded; (vii) a staffing plan, which shall include a description of how the principals, administrators, faculty, and staff will be recruited, employed, evaluated, and compensated in the member schools of the proposed Innovation Partnership Zone and any proposed waivers or modifications of collective bargaining agreements; (viii) a policy and procedures plan, which shall include a preliminary description of the operational policies and procedures that may be used by the member schools in the proposed Innovation Partnership Zone; and (ix) a professional development plan, which shall include a description of how the Innovation Partnership Zone may provide high-quality professional development to the administrators, teachers and staff working in the member schools of the proposed Innovation Partnership Zone.

To the extent practicable, the Innovation Partnership Zone plan shall be based on student outcome data, including, but not limited to: (i) student achievement on the Massachusetts Comprehensive Assessment System, or any successor statewide assessment system approved by the board of elementary and secondary education pursuant to section 1I of chapter 69; (ii) other measures of student achievement, approved by the commissioner, as appropriate; (iii) student promotion, graduation rates and dropout rates; (iv) achievement data for different subgroups of students, including low-income students as defined by chapter 70, limited English-proficient students and students receiving special education; and (v) student attendance, dismissal rates and exclusion rates.

In order to assess the proposed Innovation Partnership Zone and its member schools across multiple measures of school performance and student success, the Innovation Partnership Zone plan shall include measurable annual goals including, but not limited to, the following: (i) student attendance; (ii) student safety and discipline; (iii) student promotion and graduation and

dropout rates; (iv) student achievement on the Massachusetts Comprehensive Assessment System, or any successor statewide assessment system approved by the board of elementary and secondary education pursuant to section 1I of chapter 69; (v) progress in areas of academic underperformance; (vi) progress among subgroups of students, including low-income students as defined by chapter 70, limited English-proficient students and students receiving special education; and (vii) reduction of achievement gaps among different groups of students.

The provisions of the collective bargaining agreements applicable to the administrators, teachers and staff employed in the district in which the Innovation Partnership Zone is located shall be considered to be in operation at the member schools in the Innovation Partnership Zone, except to the extent the provisions are waived or modified under the Innovation Partnership Zone plan and such waivers or modifications are approved under subsection (h).

(h) Upon the completion of the Innovation Partnership Zone plan, the board of directors and local teachers union shall meet to negotiate waivers or modifications to the applicable collective bargaining agreement necessary for the implementation of the Innovation Partnership Zone plan. If the negotiations have not resulted in an agreement within 40 days, either party may petition the division of labor relations for the selection of an arbitrator. The division shall select an arbitrator within 3 days of the petition from a list submitted by the parties. The arbitrator shall conduct a hearing within 14 days of the arbitrator's selection. The arbitrator shall consider the parties' positions and the needs of the students in the district. The arbitrator's decision shall be consistent with the contents of the Innovation Partnership Zone plan developed by the board of directors. The arbitrator shall, within 14 days of the close of the hearing, submit a decision which shall be final and binding on the parties.

(i) Upon completion of the negotiation process under subsection (h), the board of directors shall undertake a final vote to approve the Innovation Partnership Zone plan developed under subsection (g) and shall submit the plan to the commissioner. Within 45 days of receipt, the commissioner shall accept, reject or request revisions to the plan. The commissioner shall present specific requests for information or data if revisions are required, and shall provide detailed feedback if the plan has been rejected. The board of directors shall submit a revised plan to the commissioner within 30 days of receiving the request, and within 15 days of receiving the revised document, the commissioner shall accept the document or request additional revisions. The board of directors may submit a new plan if the original plan is rejected.

(j) Upon approval of the plan, the commissioner shall, in writing, notify the board of directors of the formal establishment of the Innovation Partnership Zone and the board of directors shall have the authority to operate and manage the Innovation Partnership Zone and its member schools for a term of five years.

(k) At the end of each five-year term, if the Innovation Partnership Zone and its member schools have substantively achieved academic and other goals and have fulfilled all material responsibilities articulated in the Innovation Partnership Zone plan, the term for the Innovation Partnership Zone may be renewed for another five years, subject to the approval of the local school committee. The board of directors and local school committee may mutually agree to terminate the Innovation Partnership Zone at any point during a five-year term or at the end of the term.

(l) Pursuant to clause (ii) of subsection (b), the commissioner of elementary and secondary education may, on the basis of student performance data collected pursuant to section

1I of chapter 69, a school or district review performed under section 55A of chapter 15, or regulations adopted by the board of elementary and secondary education, initiate the establishment of an Innovation Partnership Zone in a public school district that has one or more schools designated as underperforming or chronically underperforming pursuant to section 1J of chapter 69. The commissioner may initiate the establishment of an Innovation Partnership Zone in a district designated as chronically underperforming following a period of receivership pursuant to section 1K of chapter 69.

(m) For an Innovation Partnership Zone initiated by the commissioner, the commissioner and board of directors shall follow a process, consistent with this subsection and subsections (n) to (t), inclusive, by which an Innovation Partnership Zone shall be established within the district. This process shall require that the commissioner present a recommendation to initiate the establishment of an Innovation Partnership Zone to the board of elementary and secondary education. At their first formal meeting following the presentation of the recommendation of the commissioner, the members of the board of elementary and secondary education shall vote to authorize the commissioner to initiate the establishment of the proposed Innovation Partnership Zone.

(n) Upon the approval of the board of elementary and secondary education, the commissioner shall, in consultation with representatives from the local school district and community in which the proposed Innovation Partnership Zone shall operate, select and appoint the members of the board of directors for the Innovation Partnership Zone in accordance with the requirements set forth in subsection (c).

(o) The newly constituted board of directors shall develop a memorandum of understanding with the local school committee that includes, but is not limited to the components listed in subsection (f). The commissioner shall serve as a signatory for the memorandum of understanding. The memorandum of understanding shall be a public document and must be posted on the website of the school district in which the Innovation Partnership Zone is located.

(p) Upon the completion of the memorandum of understanding, the board of directors shall develop a comprehensive Innovation Partnership Zone plan for the proposed Innovation Partnership Zone. The board of directors shall engage district and community representatives, including but not limited to school administrators, teachers, students, parents and family members, municipal leaders and other members of the community in which the proposed Innovation Partnership Zone will be established, in the development of the plan. The Innovation Partnership Zone plan shall articulate the areas of autonomy and flexibility under subsection (a) that the proposed Innovation Partnership Zone will use, and shall include, but not be limited to, the components listed under subsection (g).

The provisions of the collective bargaining agreements applicable to the administrators, teachers and staff employed in the district in which the Innovation Partnership Zone is located shall be considered to be in operation at the member schools in the Innovation Partnership Zone, except to the extent the provisions are waived or modified under the Innovation Partnership Zone plan and such waivers or modifications are approved under subsection (q).

(q) Upon the completion of the Innovation Partnership Zone plan, the board of directors and local teachers union shall meet to negotiate waivers or modifications to the applicable

237 collective bargaining agreement necessary for the implementation of the Innovation Partnership
238 Zone plan.

239 The bargaining shall be conducted in good faith and completed within 30 days. The
240 agreement shall be subject to ratification within 10 business days by the bargaining unit members
241 employed in the Innovation Partnership Zone member schools at the time of negotiation. If the
242 parties are unable to reach an agreement within 30 days or if the agreement is not ratified within
243 10 business days by the bargaining unit members employed in the Innovation Partnership Zone
244 member schools at the time of negotiation, the parties shall submit remaining unresolved issues
245 to a joint resolution committee for dispute resolution process on the next business day following
246 the end of the 30 day bargaining period or failure to ratify.

247 The joint resolution committee shall be comprised of 3 members, 1 of whom shall be
248 appointed by the employee organization within 3 business days following the submission of
249 unresolved issues to the joint resolution committee, 1 of whom shall be appointed by the board
250 of directors within 3 business days following the submission of unresolved issues to the joint
251 resolution committee and 1 who shall be selected through the American Arbitration Association
252 who shall forthwith forward to the parties a list of 3 conciliators, each of whom shall have
253 professional experience in elementary and secondary education, from which the parties may
254 agree upon a single conciliator; provided, however, that if the parties cannot select a conciliator
255 from among the 3 within 3 business days, the American Arbitration Association shall select a
256 conciliator from the remaining names. The joint resolution committee shall conduct a dispute
257 resolution process to be concluded within 10 business days of selection. This process shall be
258 conducted in accordance with the rules of the American Arbitration Association and consistent
259 with this section; provided however, that all members of the joint resolution committee must

260 agree to any resolution. The fee for the process shall be shared equally between the 2 parties
261 involved.

262 Notwithstanding any other provision of this chapter, the unanimous decision of the joint
263 resolution committee shall be dispositive of all the issues in dispute and shall be submitted to the
264 parties within 10 business days of the completion of the process. In the event that a unanimous
265 decision is not submitted to the parties within 10 business days, the commissioner will resolve all
266 outstanding issues. The commissioner may extend any deadline as needed.

267 (r) Upon completion of the negotiation process under subsection (q), the board of
268 directors shall undertake a final vote to approve the Innovation Partnership Zone plan developed
269 under subsection (p) and shall submit the plan to the commissioner. Within 45 days of receipt,
270 the commissioner shall accept, reject or request revisions to the plan. The commissioner shall
271 present specific requests for information or data if revisions are required, and shall provide
272 detailed feedback if the plan has been rejected. The board of directors shall submit a revised plan
273 to the commissioner within 30 days of receiving the request, and within 15 days of receipt, the
274 commissioner shall accept the revised document or request additional revisions. The board of
275 directors may submit a new plan if the original plan is rejected.

276 (s) Upon approving the plan, the commissioner shall present a recommendation to
277 establish the Innovation Partnership Zone to the board of elementary and secondary education.
278 At their first formal meeting following the presentation of the recommendation of the
279 commissioner, the members of the board of elementary and secondary education shall vote on
280 the establishment of the Innovation Partnership Zone in accordance with criteria developed by
281 the board of elementary and secondary education. By a vote of the majority, the board of

282 elementary and secondary education may approve the establishment of the Innovation
283 Partnership Zone, request additional information or data, or reject the recommendation of the
284 commissioner. The commissioner and board of directors of the proposed Innovation Partnership
285 Zone shall respond to any requests for information and data within 30 days, and the members of
286 the board of elementary and secondary education shall vote on the establishment of the
287 Innovation Partnership Zone at a subsequent meeting selected by the chair of the board of
288 elementary and secondary education. If the recommendation to establish the Innovation
289 Partnership Zone is rejected, the chair of the board of elementary and secondary education shall
290 present detailed feedback to the commissioner and the board of directors of the proposed
291 Innovation Partnership Zone.

292 (t) Upon approval of the establishment of the Innovation Partnership Zone by the board
293 of elementary and secondary education, the commissioner shall, in writing, notify the board of
294 directors of the formal establishment of the Innovation Partnership Zone and the board of
295 directors shall have the authority to operate and manage the Innovation Partnership Zone and its
296 member schools for a term of five years.

297 (u) At the end of each five-year term, if the Innovation Partnership Zone and its member
298 schools have substantively achieved academic and other goals and have fulfilled all material
299 responsibilities articulated in the Innovation Partnership Zone plan, the term for the Innovation
300 Partnership Zone may be renewed for another five years, subject to the approval of the
301 commissioner and the board of elementary and secondary education. The board of directors and
302 commissioner may mutually agree to terminate the Innovation Partnership Zone at any point
303 during a five-year term or at the end of the term.

(v) The commissioner shall report annually to the joint committee on education, the house and senate committees on ways and means, the speaker of the house of representatives and the senate president on the implementation and fiscal impact of this section. The report shall include, but not be limited to, the following: (i) a list of all Innovation Partnership Zones and their member schools, descriptions of academic and career themes as applicable and student enrollment, retention and demographic data; (ii) information about the uses of autonomy and flexibility in the Innovation Partnership Zones and how they are enabling the Zones and the member schools to achieve academic and other goals; (iii) student achievement and school performance data, including achievement data by student subgroup; (iv) information about the instructional, operational, fiscal and other implications of the Innovation Partnership Zones; and (v) information about the establishment of future Innovation Partnership Zones as applicable.

(w) Notwithstanding this section or any other general or special law to the contrary, for the purposes of chapter 268A and chapter 30B: (i) an Innovation Partnership Zone shall be deemed to be a state agency; and (ii) the appointing official of a member of the board of directors of an Innovation Partnership Zone shall be deemed to be the commissioner. Members of boards of directors of Innovation Partnership Zones operating under this section shall file a disclosure annually with the state ethics commission, the department and the city or town clerk wherein such Innovation Partnership Zone is located. The disclosure is in addition to the requirements of said chapter 268A and a member of a board of directors must also comply with the disclosure and other requirements of said chapter 268A. The form of the disclosure shall be prescribed by the ethics commission and shall be signed under penalty of perjury. Such form shall be limited to a statement in which members of the board of directors shall disclose any financial interest that they or a member of their immediate families, as defined in section 1 of said chapter 268A, have

in any Innovation Partnership Zone or Innovation Partnership Zone member school located in the commonwealth or in another state or with a person doing business with an Innovation Partnership Zone or Innovation Partnership Zone member school.

Each member of a board of directors of an Innovation Partnership Zone shall file such disclosure for the preceding calendar year with the commission within 30 days of becoming a member of the board of directors, by September 1 of each year thereafter that the person is a member of the board of directors and by September 1 of the year after the person ceases to be a member of the board of directors; provided, however, that no member of a board of directors shall be required to file a disclosure for the year in which he or she ceases to be a member of the board of directors if he served less than 30 days in that year.

(x) Nothing in this section shall prohibit the commissioner of elementary and secondary education from exercising the right to designate schools as underperforming or chronically underperforming pursuant to subsections 1J and 1K of chapter 69.

SECTION 3. The board of elementary and secondary education shall promulgate rules and regulations to implement the provisions of this act. Such regulations shall, at a minimum, address the appropriate level of per-pupil funding to be allocated by the local school committee to the board of directors of an Innovation Partnership Zone established pursuant to section 92A of chapter 71.

MA LAW:
H3632 An Act to Enable the
Establishment of Innovation
and Partnership Zones –
2019

HOUSE No. 3632

The Commonwealth of Massachusetts



CHARLES D. BAKER
GOVERNOR

OFFICE OF THE GOVERNOR
COMMONWEALTH OF MASSACHUSETTS
24 BEACON STREET · BOSTON, MA 02133

KARYN POLITO
LIEUTENANT GOVERNOR

March 19, 2019

To the Honorable Senate and House of Representatives,

I am pleased to submit for your consideration, “An Act to Enable the Establishment of Innovation Partnership Zones.” This bill builds on the emerging success of the Springfield Empowerment Zone Partnership by creating a standard framework to facilitate and simplify the establishment of similar zones, especially in school districts with persistently low-performing schools. The Springfield Zone, which was established in 2015, is now delivering impressive learning gains and high levels of parent and teacher satisfaction at 11 historically low-performing schools. A key purpose of this approach is to empower educators at the school site in order to give them the tools, resources, and authority they need to make decisions in the best interests of the students, families, and communities they serve.

Today, most decisions about staffing, budget, curriculum, professional development, and student services are made by the central office – especially in larger districts. State and district policies and resources provide valuable support to our public education system, but they are not nearly as important to the success of our students as the daily actions of school leaders and classroom teachers. Accelerating the pace of change and improvement, especially in schools that have been struggling for years to raise academic achievement in high-need communities, requires that we think differently about traditional roles and responsibilities.

In many cases schools themselves need to be the primary unit of change in order to stimulate innovation and to drive meaningful and sustainable improvement. This legislation will

allow local communities to create Innovation Partnership Zones to provide for enhanced local governance over a targeted group of local schools, either to address underperformance or to encourage innovation. Educators in those schools will benefit from enhanced authority to innovate within a system of local accountability for results. In cases of the lowest performing schools and districts, the Commissioner of Elementary and Secondary Education would be authorized to initiate the establishment of a zone as an alternative to receivership or as a transition path out of receivership under state-local governance. Under either approach, an Innovation Partnership Zone will only be implemented after extensive consultation with local officials, stakeholders, educators, and parents, and will be subject to renewable five-year performance agreements between the zone's board and the local school committee or the Commissioner.

Massachusetts's education system is consistently ranked number one in the United States, and if we were a country, we would be among the world leaders. Even though we are at the top when it comes to overall academic performance, we continue to see large opportunity and achievement gaps from one group of students to another and from one community to another. To maintain our leadership position and to ensure that all of our young people have access to a great education, we must embrace innovation and improvement throughout the Commonwealth, and we must empower our educators on the ground with the resources and authority they need to transform the lives of their students.

I urge your prompt enactment of this legislation.

Sincerely,

Charles D. Baker,
Governor

HOUSE No. 3632

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act to enable the establishment of innovation partnership zones.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Subsection (a) of section 1J of chapter 69 of the General Laws, as
2 appearing in the 2016 Official Edition, is hereby amended by adding the following paragraph:-

3 If a school district is designated as chronically underperforming pursuant to section 1K or
4 has 2 or more schools or one school enrolling more than 1,000 students designated as requiring
5 assistance or intervention pursuant to the school accountability system established by the board,
6 the commissioner may initiate the establishment of an innovation partnership zone pursuant to
7 subsection (d) of section 92A of chapter 71.

8 SECTION 2. Chapter 71 of the General Laws, as so appearing, is hereby amended by
9 inserting after section 92 the following section:-

10 Section 92A. (a) For the purposes of this section, the following words shall have the
11 following meanings, unless the context clearly requires otherwise:-

12 “Board”, the board of elementary and secondary education.

13 “Board of directors”, the board of directors of an Innovation Partnership Zone.

“Commissioner”, the commissioner of elementary and secondary education within the executive office of education.

“Innovation partnership zone”, a group of at least 2 public schools or one public school enrolling more than 1,000 students operating within a school district, hereinafter referred to as member schools, that is governed by a board of directors and operated pursuant to an approved innovation partnership zone proposal.

“Receiver”, for a district declared chronically underperforming pursuant to section 1K of chapter 69, the non-profit entity or individual designated by the board to exercise the powers otherwise belonging to the superintendent and the school committee.

“School district”, the school department of a city, town, or regional school district.

“Superintendent”, the superintendent of the school district.

(b)(1) An innovation partnership zone shall be established for the purpose of improving school performance and student achievement through increased school-level autonomy and flexibility. An innovation partnership zone and its member schools shall have autonomy and flexibility in the following areas: (i) curriculum; budget; (ii) school schedule and calendar; (iii) staffing policies and procedures, including waivers from or modifications to collective bargaining agreements; (iv) professional development; and (v) school district policies and procedures, including those related to procurement, human resources, and operations.

(2) Students shall be assigned to an innovation partnership zone member school based on the school district’s existing student assignment system, except as otherwise provided in the memorandum of understanding developed pursuant to subsection (h). A student who is enrolled

in a school at the time it becomes a member school of an innovation partnership zone shall have the right to remain enrolled in the school if the student's parent or guardian so chooses. Any costs incurred through the operation of an alternative school assignment system shall be covered by the funding allocated to the innovation partnership zone.

(3) An innovation partnership zone may be initiated either by the local community, as set forth in subsection (c), or the commissioner, as set forth in subsection (d). An innovation partnership zone initiated pursuant to subsection (c) shall not include schools identified as underperforming or chronically underperforming pursuant to section 1J of chapter 69 unless their inclusion is approved by the commissioner. An innovation partnership zone initiated pursuant to subsection (d) shall be only in a school district that is designated as chronically underperforming pursuant to section 1K of chapter 69 or that has (i) 2 or more schools or (ii) 1 school enrolling more than 1,000 students designated as requiring assistance or intervention pursuant to the school accountability system established by the board. An innovation partnership zone may be initiated in a school district designated as chronically underperforming pursuant to section 1K of chapter 69 only by the commissioner.

(c)(1) A superintendent, mayor, local teacher's union, group of at least 3 school committee members, or majority of teachers at each of 2 or more schools or at one school enrolling more than 1,000 students within the school district shall have the authority to initiate a process to establish or expand an innovation partnership zone by submitting an innovation partnership zone proposal to the school committee, consistent with regulations established by the board. The proposal shall be submitted in partnership with an eligible entity or group, as defined in subsection (e), that seeks to develop and administer the innovation partnership zone and shall include a detailed description of the innovation partnership zone's governance structure,

including a process and criteria for selecting members of the board of directors, in accordance with subsection (f).

(2) A majority of parents and guardians at each of 2 or more schools that have been designated as requiring assistance or intervention pursuant to the school accountability system established by the board or a majority of parents and guardians at one school enrolling more than 1,000 students that has been so designated may petition the school committee to initiate a process to establish or expand an innovation partnership zone. Within 30 days of receiving a parent petition, the school committee shall issue a request for proposals from eligible entities or groups, as defined in subsection (e), that have interest in developing and administering an innovation partnership zone. Proposals in response to a request shall be submitted to the school committee no later than 60 days following the issuance of the request.

(3) Notwithstanding paragraphs (1) and (2) of this subsection, a school committee, by a majority vote, may issue a request for innovation partnership zone proposals from eligible entities or groups, as defined in subsection (e), that have interest in developing and administering an innovation partnership zone.

(4) Within 30 days of receipt of an innovation partnership zone proposal or proposals, the school committee shall appoint a screening committee in consultation with the superintendent and the local teacher's union president. Such screening committee shall include at least 2 educators who work in the school district and 2 parents or guardians with children who are enrolled in the schools that are under consideration for inclusion in the innovation partnership zone, as well as other individuals representing key community stakeholders and employers. The screening committee shall provide the school committee with a written report and written

recommendation regarding the proposal or proposals within 60 days of its appointment. The school committee shall act on the recommendation within 60 days, following not less than 1 public hearing held by the school committee. If the school committee approves an innovation partnership zone proposal, it shall appoint the members of the innovation partnership zone board of directors in accordance with subsection (f) and the approved innovation partnership zone proposal.

(d) The commissioner shall have the authority to initiate or expand an innovation partnership zone in a school district, following consultation with the mayor, school committee and superintendent or receiver, and other community leaders and stakeholders, by submitting an innovation partnership zone proposal to the board in partnership with an eligible entity or group, as defined in subsection (e), that seeks to develop and administer the innovation partnership zone. The commissioner may issue a request for innovation partnership zone proposals from eligible entities and groups that have an interest in developing and administering an innovation partnership zone in a school district. The commissioner shall be responsible for reviewing, evaluating, and selecting from among such proposals in determining a proposal to be submitted to the board. The board shall act on the commissioner's innovation partnership zone proposal within 90 days. A proposal by the commissioner to initiate or expand an innovation partnership zone in a school district that is not designated as chronically underperforming shall include only schools that have been designated as requiring assistance or intervention.

If the board approves the innovation partnership zone proposal, the commissioner shall appoint the innovation partnership zone's board of directors, in accordance with subsection (f), following consultation with local stakeholders in the school district community where the Innovation Partnership Zone will be or is located.

(e) An eligible entity or group that may develop and administer an innovation partnership zone shall include nonprofit organizations, institutions of higher education, and groups of experienced educators. An eligible entity or group shall submit an innovation partnership zone proposal in accordance with regulations established by the board. The proposal shall include a detailed description of the innovation partnership zone's governance structure, including proposed members of the board of directors, in accordance with subsection (f).

(f) A board of directors composed of at least 5 but not more than nine members, all of whom shall be unpaid, shall govern the innovation partnership zone and shall be a public entity for the purposes of state law. Each member of the board of directors shall comply with the requirements of chapter 268A, including with respect to disclosure and reporting, and shall serve without compensation except that each member shall be reimbursed for necessary expenses incurred in travelling to and from meetings. The majority of the members of the board of directors shall be persons who are not elected, appointed, or employed by any municipal entity of the school district community in which the innovation partnership zone is located. A majority of the members of the board of directors shall reside in the school district community in which the innovation partnership zone is located or shall have previously lived or worked in the community or region for at least ten years. Individuals who are serving in elected or appointed positions in the school district or community in which the innovation partnership zone is located may serve as designated ex officio members of the board of directors. Priority shall be given to appointing innovation partnership zone board members who have relevant professional experience in education, youth development, management, and finance. To the extent possible, the board of directors should be broadly representative of the gender, racial, and ethnic diversity of the community.

The board of directors shall have governance authority over the innovation partnership zone and its member schools consistent with the approved innovation partnership zone proposal and the 5 year operating plan developed pursuant to subsection (g), provided, however, that the school district in which the innovation partnership zone is located shall remain the employer of record for all other purposes. Consistent with its 5year operating plan, developed pursuant to subsection (g), the board of directors may hire staff; contract with an eligible entity or group to administer the innovation partnership zone and with third parties to provide services to member schools; contract with a third party for the management of any member school; change the existing organizational structure or grade spans of a member school; and apply to the board to convert any member school to a Horace Mann charter school, as defined in subsection (c) of section 89 of chapter 71. The creation of an innovation partnership zone shall not diminish or negate any powers granted to the commissioner or board in sections 1J and 1K of chapter 69.

(g) The board of directors, in partnership with the eligible entity or group selected to develop and administer the innovation partnership zone shall develop and approve a detailed 5 year operating plan that is consistent with the innovation partnership zone proposal approved by the school committee pursuant to subsection (c) or the board pursuant to subsection (d), following consultation with representatives of the school district and the affected schools and local stakeholder and community groups, in accordance with regulations established by the board. The 5 year operating plan shall include specific proposals for establishing teacher leadership teams to participate in school-level decision making in collaboration with school principals or executive directors.

(h) Upon approving the 5 year operating plan, the board of directors shall enter into a 5 year memorandum of understanding with the superintendent or designee for final approval by the

school committee, provided that for an innovation partnership zone established in a school district designated as chronically underperforming, the board of directors shall enter into a memorandum of understanding with the commissioner or receiver. The memorandum of understanding shall include but not be limited to the following: (i) a detailed description of the division of responsibilities between the board of directors and the school committee or, for a district designated as chronically underperforming, the receiver; (ii) the services that shall be provided by the school district to the innovation partnership zone's member schools and the amount of funding that shall be allocated by the school committee or receiver to provide such services; (iii) a detailed budget and financial agreement, including the allocation of per-pupil funding for the innovation partnership zone and its member schools; provided that per-pupil funding for the member schools shall be based on a formula that takes into account the characteristics of the students enrolled in the member schools and shall be not less than 85 per cent of the average per-pupil funding for the school district as a whole; (iv) the necessary activities to successfully transfer the management of the member schools to the board of directors; (v) a description of the anticipated process by which the school membership of the innovation partnership zone may be altered as appropriate and necessary; (vi) any changes to the process by which students are assigned to the innovation partnership zone, including opt-in or opt-out policies; and (vii) a schedule for periodic reporting from the board of directors to the school committee or, for a district designated as chronically underperforming, the commissioner.

The memorandum of understanding shall include student performance goals and measures based on student outcome data, including, but not limited to: (i) student achievement on the Massachusetts Comprehensive Assessment System, or any successor statewide assessment system approved by the board pursuant to section 1I of chapter 69; (ii) other

measures of student achievement, approved by the commissioner, as appropriate; (iii) student promotion, graduation rates, and dropout rates; (iv) achievement data for different subgroups of students, including low-income students as used for the purposes of the chapter 70 school aid program, limited English-proficient students, and students receiving special education; and (v) student attendance, suspension, and expulsion rates.

The board shall promulgate regulations establishing the method for calculating the amount of per-pupil funding to be allocated by the school committee or receiver to the board of directors.

For an innovation partnership zone initiated pursuant to subsection (c), any issues that cannot be resolved between the board of directors and the superintendent or designee in the memorandum of understanding shall be resolved by the school committee, based on a determination of what is necessary to implement the 5 year operating plan and to achieve the identified student performance goals, provided that, if such an innovation partnership zone has a member school designated as requiring assistance or intervention, the commissioner shall appoint an arbitrator to settle any issues not resolved by the board of directors and superintendent or designee. For an innovation partnership zone initiated pursuant to subsection (d), the commissioner shall determine the student performance goals and measures and resolve any outstanding issues related to the memorandum of understanding.

The board of directors shall meet with and report at least annually to the school committee or its designee or, for innovation partnership zones established in school districts designated as chronically underperforming, the commissioner or receiver to discuss the memorandum of understanding provisions and to review progress on student performance goals.

The board of directors may terminate the memorandum of understanding without cause, effective at the completion of a school year, so long as it provides not less than 6 months' notice of the termination to the school committee for innovation partnership zones initiated under subsection (c) or to the commissioner for innovation partnership zones initiated under subsection (d).

(i) Upon the execution of the memorandum of understanding, the board of directors and local teacher's union shall meet to negotiate waivers or modifications to the applicable collective bargaining agreement, up to and including the development of a separate collective bargaining agreement, necessary for the implementation of the innovation partnership zone 5 year operating plan. The bargaining shall be conducted in good faith and completed within 30 days. The agreement shall be subject to ratification within 10 business days by the bargaining unit members employed in the innovation partnership zone member schools at the time of negotiation.

For an innovation partnership zone with a member school that has been designated as requiring assistance or intervention, if the parties are unable to reach an agreement within 30 days or if the agreement is not ratified within 10 business days of completion by the bargaining unit members employed in the innovation partnership zone member schools at the time of negotiation, the parties shall immediately submit any unresolved issues to a joint resolution committee for a dispute resolution process. The joint resolution committee shall be appointed within 3 business days following the submission of unresolved issues for resolution and shall be composed of 3 members, 1 appointed by the local teacher's union, 1 appointed by the board of directors, and 1 selected through the American Arbitration Association, with that organization forthwith providing to the parties a list of 3 conciliators, each of whom shall have professional experience in elementary and secondary education, from which the parties may agree upon a single conciliator. In the event that the parties are unable to agree on a conciliator from among

the list of 3 names within 3 business days, the American Arbitration Association shall select a conciliator from the list of 3 names. Where an innovation partnership zone is established in a school district designated as chronically underperforming pursuant to section 1K of chapter 69, the commissioner may implement any change to a collective bargaining agreement made pursuant to said section 1K of said chapter 69.

The joint resolution committee shall conduct a dispute resolution process to be concluded within 10 business days of selection. This process shall be conducted in accordance with the rules of the American Arbitration Association; provided however, that all members of the joint resolution committee must agree to any resolution. The fee for the process shall be shared equally between the parties. Notwithstanding any other provision of this chapter, the unanimous decision of the joint resolution committee shall be dispositive of all the issues in dispute and shall be submitted to the parties within 10 business days of the completion of the process. In the event that a unanimous decision is not submitted to the parties within 10 business days, the commissioner shall resolve all outstanding issues. The commissioner may extend any deadline in this subsection as needed.

In an innovation partnership zone that does not contain a member school designated as requiring assistance or intervention and that is not established in a school district designated as chronically underperforming, if negotiations between the board of directors and local teacher's union have not resulted in a ratified agreement within 40 days, either party may petition the department of labor relations for the selection of an arbitrator. The department of labor relations established pursuant to section 9O of chapter 23 shall select an arbitrator within 3 business days of the petition from a list submitted by the parties. The arbitrator shall conduct a hearing within 14 days of the arbitrator's selection. The arbitrator shall consider the parties' positions and the

needs of the students in the school district. The arbitrator's decision shall be consistent with the innovation partnership zone 5 year operating plan developed by the board of directors and the student performance goals identified in the memorandum of understanding. The arbitrator shall, within 10 business days of the close of the hearing, submit a decision which shall be final and binding on the parties.

(j) An innovation partnership zone shall be established for the school year following approval of any modifications to the local teacher's collective bargaining agreement in accordance with the regulations established by the board.

(k) At the end of each 5 year term, if the student performance goals defined in the memorandum of understanding have been substantially achieved and if all material responsibilities articulated in the 5 year operating plan have been fulfilled, the term for the innovation partnership zone shall be renewed at the board of director's option for 5 years at which time the board of directors shall adopt another 5 year operating plan, following consultation with local stakeholder and community groups, in accordance with regulations established by the board. Upon adopting a subsequent 5 year operating plan, the board of directors of an innovation partnership zone shall, as appropriate, update and renew the memorandum of understanding, including student performance goals and measures, consistent with the process specified in subsection (h). If the renewed memorandum of understanding requires any waivers or modifications to the local teacher's collective bargaining agreement, the board of directors shall initiate negotiations with the local teacher's union, consistent with the process specified in subsection (i).

At the end of a 5 year term, for an innovation partnership zones established pursuant to subsection (c), any disputes between the school committee and the board of directors related to the achievement of student performance goals as defined in the memorandum of understanding or the fulfillment of material responsibilities as articulated in the 5 year operating plan shall be resolved through mediation led by the commissioner or designee, provided that, if such an innovation partnership zone has a member school designated as requiring assistance or intervention, the commissioner shall appoint an arbitrator to settle any unresolved issues following mediation. In innovation partnership zones established pursuant to subsection (d), any such disagreements shall be resolved by the commissioner.

The board's regulations shall establish procedures for the periodic review, renewal, and possible termination of an innovation partnership zone based on the board of director's fidelity to the approved innovation partnership zone proposal, 5 year operating plan, and memorandum of understanding.

SECTION 3. The board of elementary and secondary education shall promulgate regulations necessary for the implementation of section 2 of this act not later than six months after enactment of this act.